

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

919 CRIMINAL APPLICATION NO.3120 OF 2022
IN APEAL/682/2022

PRAKASHCHAND CHAINSUKHLAL NAHAR
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. S. G. Chapalgaonkar.
APP for Respondent/State: Mr. P. G. Borade.
...

CORAM : **SHRIKANT D. KULKARNI, J.**

DATE : 27th September, 2022.

Per Court:

. It is an application for suspension of sentence and bail moved by the applicant / original accused.

2 Heard Mr. Chapalgaonkar, learned counsel for the applicant and Mr. Borade, learned APP for the State.

3 Perused the impugned judgment and order of conviction rendered by the Special (Atrocity) Judge, Beed in Special (Atrocity) Case No.10 of 2017 dated 1st September, 2022, whereby the appellant / applicant came to be convicted for the offence punishable under Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and sentenced to undergo

simple imprisonment for six months and pay fine of Rs.1,000/- with default stipulation.

4 The learned counsel for the appellant / applicant submitted that the appellant has deposited the fine amount with the Trial Court. The appellant was on bail during the trial and after conviction, he has been released on bail by suspending the substantive sentence. There are no extraordinary circumstances to keep the appellant / applicant behind the bars during the pendency of the appeal. There are no chances to take up this appeal for final hearing in near future. It would be just and proper to release the appellant / applicant on bail by suspending the sentence during the appeal period. Hence, the following order is passed:

ORDER

- I. The application is hereby allowed.
- II. The execution of substantive sentence passed by the Special (Atrocity) Judge, Beed in Special (Atrocity) Case No.10 of 2017 dated 1st September, 2022 against the applicant / accused, is hereby suspended till final decision of the appeal.
- III. The applicant shall be released on bail on his furnishing P.R. bond of Rs.20,000/- (Rupees Twenty Thousand Only) with one or two solvent sureties of

the like amount on following condition :

“The applicant shall furnish his in detail address with cell number before the Trial Court”

IV. Bail before the Sessions Court.

V. Inform to the concerned Court accordingly.

VI. The criminal application is accordingly disposed of.

[SHRIKANT D. KULKARNI, J.]

nga