

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.3111 OF 2022
IN
CRIMINAL APPEAL ST 8564 OF 2022

SHANKAR LAXMAN NAREWAD
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Uttarwar Pavan P
APP for Respondent : Mr. R D Sanap

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CORAM : SHRIKANT D. KULKARNI, J.
Dated: September 22, 2022

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PER COURT :-

1. It is an application for suspension of sentence and bail moved by the appellant/original accused.
2. Heard Mr. Uttarwar, learned counsel for the applicant and Mr. Sanap, learned APP for the State.
3. Mr. Uttarwar learned counsel for the applicant/appellant seeks leave to place on record the original receipt regarding payment of fine by the appellant/accused. Receipt is taken on record and marked 'X' for identification. He submitted that entire fine amount has been deposited by the applicant. The applicant/accused was on bail during the trial and after

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conviction, he was taken in to custody. He, therefore, urged to release the applicant on bail by suspending the substantive sentence.

4. Learned APP Mr. Sanap opposed to grant bail by suspending the sentence.

5. I have considered the submissions of both sides. Perused the impugned judgment and order of conviction passed by the Additional Sessions Judge-2, Kandhar, Link Court, Mukhed in S.C.no.20 of 2016. The appellant was on bail during trial and after conviction he has been taken to custody. There are no extraordinary circumstances to keep the appellant behind bars during pendency of appeal. Having regard to the nature of small period of sentence, it would be just and proper to release the applicant/appellant on bail by suspending the sentence.

O R D E R

- i. The application for suspension of sentence and bail is hereby allowed.
- ii. The execution of substantive sentence passed against the applicant in Sessions Case No.20 of 2016 by the Additional

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Sessions Judge-2, Kandhar, Link Court, Mukhed dated 22.3.2022 is hereby suspended till final decision of the appeal.

iii. The applicant/appellant (original accused) shall be released on bail on his furnishing PR Bond in the sum of Rs.20,000/- (Rs. Twenty Thousand) with one or two solvent sureties of the like amount on the following conditions :-

- a] He shall furnish his in detail address with Cell number with the trial court.
- b] Bail before the trial court.
- c] Inform the concerned court accordingly.

iv. Criminal application is accordingly disposed off.

(SHRIKANT D. KULKARNI, J.)

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