

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CRIMINAL APPLICATION NO. 3219 OF 2022
IN
CRIMINAL REVISION APPLICATION NO. 286 OF 2022

ANIL DAGADU CHITALE
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. Kakade Amol N.
APP for Respondent/State : Mr. S. B. Narwade

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CORAM : KISHORE C. SANT, J.

DATE : 23rd SEPTEMBER 2022.

Per Court :

1. Learned Advocate for the Applicant states that on the date of judgment immediately the Applicant is taken in custody on 20.09.2022. He further submits that the sentence awarded by the learned J.M.F.C. for the offence punishable under Section 326 of Indian Penal Code, is six months and to pay fine of Rs.10,000/- and in default to suffer simple imprisonment for two months. He states that the fine amount is already deposited in the Appellate Court, while obtaining bail during the pendency of appeal. He states that considering that the sentence is

a short sentence only of six months, the Applicant be released on bail by suspending the substantive sentence imposed by the learned trial Court and confirmed by the learned Additional Sessions Judge, Ahmednagar by way of judgment dated 20.09.2022 in Criminal Appeal No. 202/2015.

2. In view of the fact that the sentence is a short sentence and since this Court has already issued notice in the Revision Application, it is desirable to direct the Applicant be released on bail and to suspend the sentence during the pendency of the Criminal Revision Application. Hence the following order.

ORDER

- (i) The Applicant is directed to be released on bail on furnishing P. R. bond in the sum of Rs.15000/- with one solvent surety in the like amount. Bail to be furnished in the trial Court i.e. the Court of J.M.F.C, Pathardi, Dist. Ahmednagar.
- (ii) The Criminal Application is disposed of accordingly.
- (iii) Parties to act upon authenticated copy of this order.

[KISHORE C. SANT, J.]