

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

**CRIMINAL APPLICATION NO. 3602 OF 2022
IN CRIMINAL APPEAL NO. 828 OF 2022**

**WAMAN KISHANRAO CHOPDE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA**

Ms. Poonam V. Bodke Patil, Advocate for the applicants
Mr. R. B. Bagul, APP for the respondent/State

**CORAM : R. G. AVACHAT &
R. M. JOSHI, JJ.
DATED : 30th NOVEMBER, 2022**

PER COURT :-

1. Heard learned counsel for the appellant.
2. It is submitted that the accused against whom similar role is assigned are already enlarged on bail by suspension of sentence.
3. Learned App opposed the said contention.
4. In Criminal Appeal No. 685 of 2022 co-accused against whom there was allegation of use of katti where enlarged on bail. Whereas role attached to the present applicant

is use of stick in the assault. Rest of the material against all accused appears to be same. In view of this set of facts, there is no justification to deny order of suspension of sentence to the present applicant. Hence the order.

ORDER

- (i) Application is allowed.
- (ii) Substantive sentence is suspended till the disposal of the criminal appeal.
- (iii) Applicant be released on PR bond of Rs.15,000/- (Rupees Fifteen Thousand only) with one solvent surety in the like amount. Bail in the Trial Court.
- (ii) The applicant shall not tamper with the prosecution evidence.

(R. M. JOSHI, J.)

(R. G. AVACHAT, J.)

ssp