

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.381 OF 2022
IN
CRIMINAL APPEAL NO.140 OF 2022**

Abdul Munaf alias
Appu Badshah Shaikh

.. Applicant/ Appellant

Versus

State of Maharashtra

.. Respondent

.....
Mr.R.H. Patil a/w. Mr.S.R. Ghanavat, Advocate for the
Applicant/Appellant.

Ms.S.H. Yadav, APP for the Respondent – State.

.....

CORAM : PRAKASH D. NAIK, J.

DATED : FEBRUARY 23, 2022.

P.C. :

The applicant is convicted for the offence punishable under Section 353 of IPC, and, sentenced to suffer imprisonment of three months with fine of Rs.500/-.

2 Appellant was on bail during the trial. On the day of conviction, the sentence has been suspended by the trial Court until the period of Appeal. The said order is still in operation. The copy of the order suspending the sentence by the trial Court is produced by

the learned counsel for the applicant, the same is taken on record and marked “X”, for identification.

3 Learned APP submits that the applicant was involved in threatening the police men on duty, who has been rightly convicted by the trial Court.

4 Considering the fact that the sentence of imprisonment is three months, the applicant was on bail during the trial and sentence has been suspended by the trial Court on the date of conviction, this application can be allowed.

5 Hence, I pass the following order:

:: ORDER ::

- (i) Interim Application No.381 of 2022, is allowed;
- (ii) The sentence of imprisonment vide judgment and order dated 4th January, 2022, passed by Additional Sessions Judge, Sangli, in Sessions Case No.251 of 2019, is suspended and the applicant is directed to be released on bail on executing P.R.Bond in the sum of Rs.15,000/-, with one or more sureties in the like amount;

- (iii) Applicant is permitted to furnish cash bail security of Rs.15,000/-, for a period of ten weeks from today, in lieu of surety;
- (iv) Interim Application No.381 of 2022, stands disposed of accordingly.

(PRAKASH D. NAIK, J.)