

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

**INTERIM APPLICATION NO. 4300 OF 2022
IN
CRIMINAL APPEAL NO. 1233 OF 2022**

Pravin Anil Jadhav & Ors.	..Applicants
Versus	
The State of Maharashtra	..Respondent

Mr. Vikrant V. Phatate for Applicants.
Mr. S. R. Agarkar, APP for State/Respondent.

**CORAM : SARANG V. KOTWAL, J.
DATE : 16th DECEMBER 2022**

PC :

1. This is an application for bail pending final disposal of Criminal Appeal No.1233 of 2022 filed by the applicants challenging the Judgment and order dated 24/11/2022 passed by learned Additional Sessions Judge, Solapur, in Sessions Case No.23 of 2018. The Applicants were convicted for commission of offence punishable U/s.324 of the I.P.C. and each of them were sentenced to suffer S.I. for 6 months and to pay a fine of Rs.500/- each and in default of payment of fine to suffer S.I. for 15 days each. The applicants were acquitted of the offence punishable U/s.395 and

397 of the I.P.C.

2. Learned counsel for the applicants submitted that the case is false. The complainant-PW-2 had also made allegations about robbery and about the accused taking away his valuables from his person. However, all these allegations are disbelieved by the trial Judge. There are no eye witnesses who had supported this theory, therefore, sufficient doubt is created against the version of the prosecution. The sentence is short and the Appeal is not likely to be decided within that period. The applicants have no antecedents. They were on bail during trial and even after their conviction their sentence was suspended till the filing of the Appeal.

3. Considering all this, though, learned APP opposed this application on merits, since the sentence is short and since the applicants have raised arguable points, they have made out a case for their release on bail during pendency of their Appeal.

4. Hence, the following order:

O R D E R

- i) During pendency and final disposal of Criminal Appeal No.1233 of 2022, the Applicants are directed to be released on bail on their furnishing P. R. bonds in the sum of Rs.30000/- each with one or two sureties each in the like amount.
- ii) The Application is disposed of.

(SARANG V. KOTWAL, J.)