

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

**INTERIM APPLICATION NO.1228 OF 2019
IN
CRIMINAL APPEAL NO.1547 OF 2019**

Subhash Shridhar Mayekar Applicant

versus

State of Maharashtra & Anr. Respondents

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- Mr. Shashank C. Mangle, Advocate for Applicant.
- Mr. P. H. Gaikwad, APP for the State/Respondent.

**CORAM : SARANG V. KOTWAL, J.
DATE : 14th NOVEMBER, 2022**

P.C. :

1. The Appeal is already admitted. This application is filed for bail pending Appeal. The Applicant was convicted for commission of offence punishable u/s 354 D(1) of the Indian Penal Code and u/s 11 r/w 12 of the Protection of Children from Sexual Offences Act, 2012. The maximum punishment imposed on him was for six months besides imposition of fine.

2. Heard Mr. Shashnak Mangle, learned counsel for the Applicant and Mr. P. H. Gaikwad, learned APP for the State.
3. Learned counsel for Applicant submitted that the sentence is short and the Applicant was on bail during the trial. He has not misused that liberty. By the previous order dated 05/09/2022 he was granted interim bail. Even that liberty is not misused. Learned counsel for the Applicant submitted compilation of the evidence which is taken on record and marked 'X-collectively' for identification.
4. Learned APP as well as learned counsel for the Respondent No.2 opposed this application. However, they conceded that the sentence is short.
5. I have considered these submissions and I have perused the evidence of the victim who is examined as P.W.3. Since the sentence is short and the Appeal is not likely to be decided during that period and as there are no further allegations of

Applicant misusing the liberty of bail, the Applicant can be granted bail pending his Appeal.

6. Hence, the following order :

ORDER

- (i) During pendency and final disposal of the Criminal Appeal No.1547 of 2019, the Applicant is directed to be released on bail on his furnishing PR. bond in the sum of Rs.30,000/- (Rupees Thirty Thousand only), with one or two sureties in the like amount.
- (ii) The Applicant shall not cause any harassment to the victim in this case.
- (iii) Interim Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)