

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

**INTERIM APPLICATION NO.455 OF 2022
IN
CRIMINAL APPEAL NO.121 OF 2022**

- 1) Sagar Ajit Mehroliya; and
2) Kapil Dayachand Saude .. Applicants/Appellants

Versus

State of Maharashtra .. Respondent

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Ms.Shraddha A. Dhamale, Advocate for the Applicants/Appellants.
Mr.Ajay Patil, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATED : FEBRUARY 26, 2022.

P.C. :

This is an application for suspension of sentence and grant of bail. The appellants are convicted for the offences punishable under Sections 332 read with 34 of Indian Penal Code (“IPC”, for short), 504 read with 34 of IPC and 506 read with 34 of IPC. The tenor of the judgment also indicate that they are also convicted for the offence under Section 353 of IPC. The maximum sentence imposed for the conviction is one year.

2 The applicants were on bail during trial. On the date of conviction, the sentence of imprisonment has been suspended.

3 Considering the aforesaid circumstances, the application for suspension of sentence and grant of bail can be allowed:

:: ORDER ::

- (i) Interim Application No.455 of 2022, is allowed;
- (ii) The sentence of imprisonment imposed *vide* judgment and order dated 29th December, 2021, passed by Additional Sessions Judge, Nashik, in Sessions Case No.175 of 2016, is suspended and the applicants are directed to be released on bail on executing P.R. Bond in the sum of Rs.15,000/-, each, with one or more sureties in the like amount;
- (iii) Applicants/appellants are permitted to furnish cash bail security of Rs.15,000/-, each, for a period of ten weeks, in lieu of surety;
- (iv) Applicants/appellants shall attend the trial Court once in six months on first Saturday of the month between 11:00 a.m. to 01.00 p.m.;
- (v) In the event there are two consecutive defaults in attending the trial Court, the said fact may be brought to notice of this Court and the prosecution is at liberty to move an application for cancellation of bail;

(vi) Interim Application No.455 of 2022, stands disposed of accordingly.

(PRAKASH D. NAIK, J.)