

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

**INTERIM APPLICATION NO.1250 OF 2021
IN
CRIMINAL APPEAL NO.365 OF 2021**

Aashish Arun Raul

.. Applicant/ Appellant

Versus

State of Maharashtra

.. Respondent

.....

Mr.Varun Thokal i/b. Mr.Anshul Sontakke, Advocate for the
Applicant/Appellant.

Mr.Arfan Sait, APP for the Respondent – State.

.....

CORAM : PRAKASH D. NAIK, J.

DATED : MARCH 02, 2022.

P.C. :

This is an application for suspension of sentence and
grant of bail, pending criminal Appeal No.365 of 2021.

2 The applicant has been convicted for the offence
punishable under Sections 353, 323 and 504 read with 34 of Indian
Penal Code (“IPC”, for short). He is sentenced to suffer rigorous
imprisonment for one year for offence under Section 353 of IPC, three
months for the offence under Section 323, and, three months for the
offence punishable under Section 504 of IPC by judgment and order
dated 6th March, 2021.

3 The sentence of imprisonment has been suspended by the trial Court on the day of conviction. The applicant was surrendered to custody today. Learned counsel for the applicant produced the copy of the application and the order passed by the trial Court indicating that the applicant is surrendered to custody. The application preferred by the accused no.1 seeking suspension of sentence has been allowed and he has been granted bail.

4 Considering the fact that the maximum sentence imposed by the trial Court is one year, the sentence of imprisonment may be suspended.

5 Hence, I pass the following order:

:: ORDER ::

- (i) Interim Application No.1250 of 2021, is allowed;
- (ii) The sentence of imprisonment imposed by judgment and order dated 6th March, 2021, passed by the District Judge-1 and Additional Sessions Judge Raigad-Alibag in Sessions Case No.126 of 2018, is suspended and the applicant is directed to be released on bail on executing P.R.Bond in the sum of Rs.20,000/-, with one or more sureties in the like amount;

- (iii) Applicant/appellant is permitted to furnish cash bail security of Rs.20,000/-, for a period of ten weeks, in lieu of surety;
- (iv) The applicant/appellant shall attend the trial Court once in six months on first Saturday of the month, till the disposal of Appeal;
- (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.1250 of 2021, stands disposed of accordingly.

(PRAKASH D. NAIK, J.)