

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

**INTERIM APPLICATION NO. 2399 OF 2022
IN
CRIMINAL APPEAL NO. 730 OF 2022**

Wahid Salim Sayyed & Anr. ..Applicants.
Versus
The State of Maharashtra & Ors. ..Respondents

Mr. Ashish Dubey, for Applicants.
Mr. Y. Y. Dabke, APP for State/Respondent No.1.
Mr. Hitesh P. Mutha (Appointed Advocate) for Respondent No.2.

CORAM : SARANG V. KOTWAL, J.
DATE : 20th SEPTEMBER 2022

PC :

1. The Applicants are convicted and sentenced for commission of offences punishable U/s.509 and 354-D r/w. 34 of I.P.C. and U/s.8 and 12 of the Protection of Children from Sexual Offences Act. The major punishment imposed on them was for one year besides imposition of fine. The Appeal is already admitted.

2. Heard Shri. Ashish Dubey, learned counsel for the Applicants, Shri. Dabke, learned APP for the State/Respondent No.1 and Shri. Hitesh Mutha, learned counsel for the Respondent

No.2.

3. The statement of PW-1 shows that, she and other victim were followed by the Applicants but they were caught by the mob and assaulted at the spot.

4. Learned counsel for the Applicants submitted that they were on bail during trial and they have not misused the same.

5. Learned APP, as well as, learned counsel for the Respondent No.2 do not dispute the fact that the sentence is for a short duration. Considering this situation, the Appeal is not likely to be heard within one year. Therefore, the applicants can be granted bail on certain conditions.

6. Hence, the order:

a) During pendency and final disposal of Criminal Appeal No.730 of 2022, the Applicants are directed to be released on bail on their executing PR. bond in the sum of Rs.30000/- each with one or two sureties each in the like amount.

- b) The Applicants shall not indulge in similar activities while they are on bail.
- c) The Application is disposed of.

(SARANG V. KOTWAL, J.)