

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

**INTERIM APPLICATION NO. 2719 OF 2022
IN
CRIMINAL APPEAL NO. 820 OF 2022**

Pravin Raghunath Kumbhar	..Appellant
Versus	
The State of Maharashtra	..Respondent

Mr. Satyavrat Joshi i/b. Nitesh J. Mohite for Appellant.
Smt. M. R. Tidke, APP for State/Respondent.

**CORAM : SARANG V. KOTWAL, J.
DATE : 25th AUGUST 2022**

PC :

1. This is an application for suspension of applicant's substantive sentences and for his release on bail during pendency and final dispose of Criminal appeal. The Applicant was convicted for commission of offence punishable U/s.7, 13(1)(d) r/w. Section 13(2) of the Prevention of Corruption Act, 1988. The maximum punishment imposed on him was of 3 years, besides imposition of fine.

2. Heard Shri. Satyavrat Joshi, learned counsel for the Applicant and Smt. Tidke, learned APP for the State.

3. Learned counsel for the Applicant submitted that the applicant was on bail during trial. He has not misused the liberty. Even after his conviction, the trial court has granted him temporary bail under the provision of Section 389(3) of Cr.p.c. On merits he has a good case. According to the prosecution case, the money was to be paid on behalf of other person who was the superior of the applicant. That person is not even made as an accused. The money was thrust in his hands. Learned counsel for the applicant submitted that the applicant has paid the fine amount.

4. Learned APP opposed this application. However, she conceded that the sentence imposed is short.

5. I have considered these submissions. The applicant was on bail during trial. The sentence imposed on him is short. He has already paid the fine amount. The Appeal is not likely to be taken up for final hearing in near future. There are some arguable points raised in the Appeal which need to be decided at the final hearing stage. Therefore, the applicant deserves to be released on bail

during pendency and final disposal of this Appeal.

O R D E R

- a) During pendency and final disposal of Criminal Appeal No.820 of 2022 the applicant is directed to be released on executing his P.R. bond in the sum of Rs.30000/- with one or two sureties in the like amount.
- b) The application is disposed of.

(SARANG V. KOTWAL, J.)