

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

**INTERIM APPLICATION NO. 4029 OF 2022
IN
CRIMINAL APPEAL NO. 1165 OF 2022**

Suresh Ramu Pawar & Ors. ..Applicants
Versus
The State of Maharashtra ..Respondent

Mr. Rohit P. Karhadkar for Applicants.
Mr. S. R. Agarkar, APP for State/Respondent No.1.

**CORAM : SARANG V. KOTWAL, J.
DATE : 12th DECEMBER 2022**

PC :

1. Leave to amend is granted to delete name of the Appellant No.3 as he was already deceased; even during trial.
2. The Applicant No.4 shall be described as Applicant No.3. Amendment shall be carried out forthwith.
3. This is an application for bail pending final disposal of Criminal Appeal No.1165 of 2022. The Applicants were the original accused No.1, 2 and 4 in Sessions Case No.94 of 2017. The Applicants were convicted and sentenced by learned

Additional Sessions Judge, Nashik vide his Judgment and order dated 28/09/2022 in S.C.No.94 of 2017 for commission of offences punishable under sections 353, 332 and 323 of I.P.C. Major punishment imposed on them was R.I. for one year each; besides imposition of fine.

4. Learned counsel for the Applicants submitted that the sentence is short and the Appeal is not likely to be decided within that period. He submitted that, there are no independent eye witnesses and there is inconsistency in the statements of the eye witnesses.

5. Learned APP opposed this application, however, he conceded that the sentence is short.

6. Considering these submissions, the applicants can be granted bail on certain conditions.

7. Hence, the following order:

ORDER

i) During pendency and final disposal of Criminal

Appeal No.1165 of 2022, the Applicants are directed to be released on their furnishing P. R. bonds in the sum of Rs.30000/- each with one or two sureties each in the like amount.

ii) The Applicants shall attend the concerned police station once in a month for a period of one year from today.

iii) The Application is disposed of.

(SARANG V. KOTWAL, J.)