

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

**INTERIM APPLICATION NO. 3913 OF 2022
IN
CRIMINAL APPEAL NO. 1146 OF 2022**

Pramod Gajanan Bhoir ..Applicant
Versus
The State of Maharashtra & Anr. ..Respondents

Mr. Saurabh Butala i/b. Harshad Sathe for Applicant.
Mr. S. R. Agarkar, APP for State/Respondent No.1.

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

PC :

1. This is an application for bail pending final disposal of the Criminal Appeal No.1146 of 2022. The applicant was convicted and sentenced by learned Additional Sessions Judge, Thane vide his Judgment and order dated 12/10/2022 passed in Sessions Case No.530 of 2015. The applicant was convicted U/s.504 and 506 of the I.P.C. and under section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as 'SC & ST Act'). The sentence imposed on him was for 6 months besides imposition of fine.

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2. Learned counsel for the applicant submitted that the applicant was on bail during trial and even after conviction he was granted bail by the trial Court U/s.389 of the Cr.p.c. He submitted that, on merits, the applicant has a good case. The incident allegedly had taken place on the S. T. Stand which was a crowded place. In spite of that, only one Amin Shaikh who was close friend of the complaint was examined.

3. Learned APP, on merits, opposed this application. However, however, he conceded that the sentence is short and the Appeal is not likely to be decided within that period.

4. I have considered these submissions. All the issues raised by learned counsel for the applicant will have to be decided at the final hearing stage of the Appeal. However, the sentence imposed is short and the Appeal is not likely to be decided within that period. The applicant was on bail during trial and post conviction and he has not misused the same. Considering all this, the applicant can be granted bail during pendency and final disposal of his Appeal.

5. Hence, the following order:

O R D E R

- i) During pendency and final disposal of Criminal Appeal No.1146 of 2022, the Applicant is directed to be released on bail on his executing P. R. bond in the sum of Rs.30000/- with one or two sureties in the like amount.
- ii) The Application is disposed of.

(SARANG V. KOTWAL, J.)