

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (APPA) NO.28/2022

IN

CRIMINAL APPEAL NO.21/2022

Narendra S/o. Ambadas Wasu Vs. State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Mr. A. P. Pankule and Mr. R. A. Bivanware, Adv. h/f. Mr. O. K. Masurke, Advocate
for the Applicant.
Mr. V. A. Thakare, A.P.P. for the Non-applicant/State.

CORAM : SURENDRA P. TAVADE, J.

DATE : 14/01/2022.

1. This is an application for suspension of sentence and for grant of bail.
2. The applicant was prosecuted for the offences punishable under Sections 354A, 354D and 509 of the Indian Penal Code (IPC) and Section 12 of the Protection of Children From Sexual Offences Act, 2012 (POCSO Act).
3. The applicant has been convicted for the offences punishable under Sections 12 of POCSO Act and sentenced to suffer rigorous imprisonment for two years and directed to pay fine of Rs.3000/-, in default, to undergo simple imprisonment for six months. No separate sentences were awarded under Sections 354A, 354D and 509 IPC.
4. I have perused the evidence on record. It appears from the record that during the pendency of the trial, the applicant was released on bail. He has not abused the liberty granted to him by way of bail. The appeal may not come up

for hearing within short period. Therefore, in my considered view, the applicant is entitled for bail. Hence, I pass the following order.

ORDER

- i. The application is allowed.
- ii. The sentence imposed upon the applicant is hereby suspended till final hearing of this appeal.
- iii. The applicant is ordered to be released on bail on his executing a P.R. Bond in the sum of Rs.15,000/- with a solvent surety in the like amount.
- iv. The applicant is directed to attend the hearing of this appeal regularly.
- v. Bail before the trial Court.

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1. Heard.
2. **ADMIT.**
3. Mr. V. A. Thakare, learned Additional Public Prosecutor waives service on behalf of the respondent/State.
4. Call for record and proceedings in Special (Ch.Act) Case No.54/2018.

(SURENDRA P. TAVADE, J.)