

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

CRIMINAL APPLICATION NO. 115 OF 2022

IN

CRIMINAL APPEAL NO. 80 OF 2022

Umesh S/o. Dilip Sanghele .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.

Shri H. M. Mohta, Advocate for the applicant
Shri S. S. Doifode, APP for the respondent

CORAM : SUNIL B. SHUKRE AND

G. A. SANAP, JJ.

DATED : 06.07.2022

Heard.

2] Although there is a delay of about 11 days in lodging the FIR, we are of the view that *prima facie* same stands explained by the facts and circumstances brought on record by the prosecution and when the evidence of PW-5-Mohammad Ayyaz Mohammad Isa is considered, on the said backdrop, we are of the *prima facie* view that this is not a fit case for suspension of the sentence and release of the accused/appellant on bail during the pendency of the appeal. This is although more so, because the appellant had, during pendency of the trial, breached condition of the bail and was required to be arrested and brought before the trial Court for his prosecution.

The application, therefore, stands rejected.

(G. A. SANAP, J.)

(SUNIL B. SHUKRE, J.)