

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

Criminal Appeal No. 68 of 2022

Yogesh Ramrao Akhare

Versus

The State of Maharashtra, through Police Station Officer, Police Station
Walgaon, Tq. And District-Amravati.

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

Court's or Judge's Order

Ms. Shreya H. Bhagat, Advocate for the Appellant.
Shri Sagar Ashirgade, APP for the Respondent.

CORAM : ANIL S. KILOR, J.
DATED : 16th FEBRUARY, 2022.

Heard learned counsel for the applicant and
learned Additional Public Prosecutor.

2. **ADMIT.**

3. Call record and proceedings.

Criminal Application (APPA) No. 103 of 2022

This is an application filed under Section
389 of the Code of Criminal Procedure for suspension
of sentence and grant of bail. The applicant was
convicted for the offence punishable under Section 324

of Indian Penal Code and sentenced to suffer Rigorous Imprisonment of one year and to pay fine of Rs.5,000/-, in default of payment of fine, the accused shall undergo simple imprisonment for one month vide judgment and order dated 13th January, 2022 in Sessions Trial No. 66 of 2015.

2. Learned counsel for the applicant submits that the applicant was on bail during the trial and since the date of judgment he is in jail i.e. from 13th January, 2022. Learned counsel for the applicant has stated that the amount of fine has already been deposited. It is submitted that the applicant is having good case and there is every likelihood that he would succeed in the present appeal. He, therefore, prays for suspension of sentence.

3. After going through the judgment and considering the submissions of the learned counsel for the applicant, I am of the opinion that the case is made out for suspension of sentence. Accordingly, I pass the following order.

ORDER

- i. The application is allowed;

ii. Sentence as imposed by the learned Additional Sessions Judge, Amravati vide judgment and order dated 13th January, 2022 in Sessions Trial No. 66 of 2015 is hereby suspended till the decision of this appeal;

iii. It is directed that the applicant shall be released on bail on furnishing P.R. Bond for Rs.20,000/- (Rs. Twenty Thousand) and one solvent surety in the like amount;

iv. The applicant shall attend the nearest police station i.e. Walgaon, Taluka and District Amravati on 1st and 15th of every month till the decision of this appeal.

[ANIL S. KILOR, J.]

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by
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Date: 2022.02.17
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