

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

CRIMINAL APPLICATION (APPA) NO.936 OF 2022
IN
CRIMINAL APPEAL NO.712 OF 2022

BRAHMADEO SHRIRAM LOLE
VS
STATE OF MHA. THR. ANTI CORRUPTION BUREAU AKOLA PS CITY KOTWALI AKOLA

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

Court's or Judge's Order

Shri S.V. Sirpurkar, Advocate for applicant
Shri V.A. Thakare, APP for the State / Non-applicant

CORAM : ANIL S. KILOR, J.

DATED : 25.11.2022.

1. This is an application filed under Section 389(2) of the Code of Criminal Procedure for suspension of sentence and grant of bail.
2. The applicant was convicted for the offence punishable under Section 7 of the Prevention of Corruption Act, 1988 and sentenced to suffer simple imprisonment for thirty months and to pay fine of Rs.15,000/-, in default to pay fine, further to suffer simple imprisonment for five months.
3. I have perused the findings recorded by the learned Additional Sessions Judge, Akola in the impugned judgment and order and thereupon, I am of

the opinion that applicant is having arguable case and re-appreciation and reappraisal of the evidence is necessary in this case. There is no likelihood that this matter would come up for final hearing in near future. There is one more ground is that the applicant was on bail throughout the trial. Accordingly, I pass the following order:

- i. Criminal application is **allowed**.
- ii. The order granting suspension of sentence dated 19.10.2022, is hereby confirmed, till disposal of the appeal.
- iii. Bail as in the trial Court with fresh Bonds.

[JUDGE]

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