

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO.38 OF 2023
IN APEAL/252/2022**

**JAVED SHAIKH MUKHTAR
VERSUS
THE STATE OF MAHARASHTRA**

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Mr. Amarjitsing B. Girase, Advocate for Applicant
Mr. V. S. Badakh, APP for Respondent – State

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 16th FEBRUARY, 2023

PER COURT :

1. By this application, applicant seeks suspension of substantive sentence of imprisonment of seven years imposed on him by the learned Additional Sessions Judge, Shahada, District Nandurbar, vide order dated 16/03/2022, in Sessions Case No.53/2017, while convicting him under section 307 of the Indian Penal Code
2. It appears from record that the applicant has undergone more than six years imprisonment by this time. Co-accused who were convicted in the present case are already released on bail by this Court vide order dated 12/04/2022.
4. In that view of the matter, application is allowed. Substantive sentence of imprisonment of applicant is hereby suspended. Applicant be released on executing Personal Bond of Rs.15,000/-, with one surety in the like amount. Bail before trial Court.

(NITIN B. SURYAWANSHI, J.)