

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.176 OF 2023
IN
CRIMINAL APPEAL NO. 30 OF 2023

Bhimrao Prabhatrao Pokale

...Applicant

Versus

The State Of Maharashtra

...Respondent

Mr. Amar Lavte, Advocate for applicant.

Mrs. R.P. Gour, APP for respondent.

.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 12th JANUARY, 2023

ORDER :

1. The applicant is convicted for offence punishable under section 354 of Indian Penal Code and sentenced to suffer simple imprisonment for one year and to pay fine of Rs. 500/-, under section 354-A(1)(i) of IPC and sentenced to suffer rigorous imprisonment for three years and to pay fine of Rs. 500 and under section 323 of IPC and sentenced to suffer simple imprisonment for one year and to pay fine of Rs. 500/-.

2. Heard the learned advocate for the applicant and learned Additional Public Prosecutor for the respondent. Perused the notes of evidence.

Bhagyawant Punde

3. Considering the maximum punishment imposed on the applicant is of three years and the applicant was on bail during trial and he has not misused the facility of bail, the applicant deserves to be released on bail.

4. The application is therefore allowed.

5. Substantive sentence of imprisonment imposed on the applicant in Atrocity Special Case No. 29/2017 by Additional Sessions Judge, Fast Track Court, Beed, vide order dated 23.12.2022, is hereby suspended till final disposal of the appeal.

6. The applicant be released on bail on executing personal bond of Rs. 15,000/- with one surety in the like amount.

[NITIN B. SURYAWANSHI, J.]