

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

**CRIMINAL APPLICATION NO. 1098 OF 2023
IN
CRIMINAL APPEAL NO. 159 OF 2020**

Pappu @ Rajnikant Ishwar @ Vishwambhar Sagar ..APPLICANT

VERSUS

State of Maharashtra and Another ..RESPONDENTS

....
Mr. R.P. Patwardhan, Advocate for applicant (appointed)
Ms. R.P. Gour, A.P.P. for respondents
....

**CORAM : R.G. AVACHAT, J.
DATED : 20th MARCH, 2023**

PER COURT :

1. Heard.
2. The applicant has been convicted for the offence punishable under Section 376 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for ten years and to pay fine of Rs.50,000/-, in default, to suffer rigorous imprisonment for two months.
3. The applicant was on bail pending the trial. He has already undergone almost six years of sentence of imprisonment as against ten years conviction. The appeal is not likely to come up for hearing in immediate

future by it's turn. The applicant was twenty-one years of age at the relevant time, while the victim was of nineteen years.

4. Considering the applicant to have been behind the bars of little over six years as against ten years of imprisonment, despite strong objection by learned A.P.P., the execution of substantive sentence of imprisonment to stand suspended, pending the appeal. The applicant be released on executing P.R. bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with one surety in the like amount. The order shall not be executed until fine amount is deposited, if not already deposited.

5. Fees of Mr. R.P. Patwardhan, learned counsel, appointed to represent the applicant, is quantified to Rs.6,000/- (Rupees Six Thousand).

(R.G. AVACHAT, J.)

SSD