

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

**CRIMINAL APPLICATION NO.1132 OF 2023
IN
CRIMINAL APPEAL NO. 254 OF 2023**

Babu s/o. Narayan Bainwad

..Applicant

Vs.

The State of Maharashtra
and anr.

..Respondents

Mr.Ameya Sabnis, Advocate h/f. Mr.V.D.Gunale, Advocate for applicant
Mr.K.N.Lokhand, APP for respondent

**CORAM : R.G. AVACHAT, J.
DATE : APRIL 06, 2023**

ORDER :-

Heard.

2. The applicant/appellant herein has been convicted for the offences punishable under Sections 304(II), 324, 504 and 337 of Indian Penal Code. The maximum period of sentence imposed against the applicant is 10 years for the offence under Section 304(II) I.P.C.

3. The case of prosecution is that the applicant and his brother were fighting interse. The deceased intervened. The applicant allegedly pelted stone on the victim. The stone hit her head and she succumbed thereto.

4. Pending trial, the applicant was on bail. He is behind the bars for about three months from the date of conviction. The appeal is not likely to come up for hearing in the near future.

5. Considering the nature of the offence and the fact that the appeal is not likely to come up for hearing in the near future, during pendency of the appeal, the substantive sentence of imprisonment to stand suspended. 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.

6. The application stands disposed of.

[R.G. AVACHAT, J.]

KBP