

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

**9 CRIMINAL APPLICATION NO.3952 OF 2023
IN APEAL/870/2023**

**TUKARAM MANSING JADHAV
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

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Advocate for Applicant : Ms. Ashwini A. Lomte h/f
Mr. S. J. Salunke

APP for Respondent-State: Mr. R. B. Bagul
Advocate for Respondent No.2 : Mr. Kedar A. Pathade h/f
Mr. R. V. Patil

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 30/10/2023.**

P. C. :

1. Heard rival submissions.
2. The applicant, i.e. original accused No.5, is seeking suspension of his substantive sentence of imprisonment imposed upon him in Sessions Case No.103 of 2014 under judgment and order dated 11/09/2023.
3. Though the learned APP as well as learned counsel for original informant strongly opposed the application, but this court vide order dated 27/10/2023 has already suspended substantive sentences of other accused in the aforesaid case during the

pendency of appeals filed by them. In view of the same, following order is passed.

ORDER

- (i) The application is hereby allowed and substantive sentence of imprisonment imposed upon the present applicant / accused No.5 in Sessions Case No.103 of 2014 vide judgment and order dated 11/09/2023 is hereby suspended during the pendency of this appeal.
- (ii) The applicant be released on bail on execution of his P.R. bond of Rs.25,000/- with one or more solvent sureties in the like amount.
- (iii) Bail in lower Court.
- (iv) Application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)