

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

**906 CRIMINAL APPLICATION NO.4138 OF 2023
IN APEAL/1087/2023**

**SUDHIR MURLIDHAR DUSUNGE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA**

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Mr. Sanket Jangale, Advocate holding for Mr. R.R. Karpe,
Advocate for the applicants.

Mrs. D.S. Jape, A.P.P. for respondent – State.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 9th November 2023.

ORDER:-

1. Heard.
2. Issue notice to the respondent. Learned A.P.P. waives service for respondent – State.
3. Heard rival submissions.
4. It appears that in connected Criminal Appeal No. 1064 of 2023 the substantive sentence of imprisonment imposed upon the appellants/accused therein, is already suspended. The present applicants are the remaining accused in Sessions Case No. 161/2015 who have been awarded with identical sentence of imprisonment. Therefore, in view of the order dated 4th November 2023 in Criminal Application No. 4043 of 2023 in Criminal Appeal No. 1064 of 2023, following order is passed.

ORDER

- (i) The application is hereby allowed and substantive sentence of imprisonment imposed upon these applicants for the offences punishable under Sections 353, 143, 147, 149, 323 and 506 read with Section 149 of the Indian Penal Code in Sessions Case No. 161/2015 under judgment and order dated 17.10.2023, is hereby suspended during the pendency of this appeal.
- (ii) The applicants be released on bail on execution of their P.R. bonds of Rs.25,000/- each 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.)