

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

**9 CRIMINAL APPLICATION NO.4508 OF 2023
IN APEAL/1176/2023**

**NIVRUTTI RAMBHAU BAGAL
VERSUS
THE STATE OF MAHARASHTRA**

...
Mr. Sk. Nasimoddin Rafiyoddin, Advocate for the applicant.
Mr. S.B. Narwade, A.P.P. for respondent – State.
...

CORAM : SANDIPKUMAR C. MORE, J.

DATED : 18th December 2023.

ORDER:-

1. Heard.
2. Issue notice to the respondent. Learned A.P.P. waives service for respondent – State.
3. Heard rival submissions.
4. The substantive sentence of imprisonment appears to be of three months and the learned trial Court has already released the applicant/accused on bail even after the conviction vide order dated 02.12.2023. Fine amount is also paid. As such, following order is passed.

ORDER

- (i) The application is hereby allowed and substantive sentence of imprisonment for three months for the offences punishable under Sections 353, 332 of the Indian Penal Code imposed upon the applicant in

Sessions Case No. 116/2020 under judgment and order dated 02.12.2023 by District Judge-3 and Addl. Sessions Judge, Jalgaon, is hereby suspended during the pendency of this appeal.

- (ii) Applicant be released on bail on execution of his P.R. bond of Rs. 15,000/- with solvent surety in the like amount.
- (iii) Bail in lower Court.
- (iv) Application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)