



TEWAN

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.1978 OF 2023
IN
CRIMINAL APPEAL NO.627 OF 2023**

Ashrafbano w/o. Mohammad
(Moiddin) Bekal
Age : 55 years, occ. Nil
presently at Akola Central Prison,
Mahila Vibhag, Akola

... Applicant

Versus

The State of Maharashtra
(Through Mumbra Police Station,
Thane)

... Respondent

* * *

Mr. Amit A. Mane for the Applicant.

Ms. Sharmila S. Kaushik, APP for the Respondent-State.

B.M. Tadv, Jailor Gr.II, Yerwada Central Prison, Pune.

Laxmi Sapkale, PSI, Mumbra Police Station, Thane.

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**CORAM : NITIN W. SAMBRE AND
N.R. BORKAR, JJ**

DATE : 10 OCTOBER 2023

P.C.

. This application is moved under Section 389 of the Criminal Procedure Code 1973 to suspend the sentence and grant of bail in Crime No.I-421 of 2006, which was subsequently registered as Sessions Case No.71 of 2007.

2. The accused claimed to be convicted and awarded life imprisonment. As on date, the accused has already undergone imprisonment of 18 years, 1 month and 3 days including remission period.

3. In the aforesaid background, the case for grant of bail and suspension of sentence is pressed.

4. Having regard to the law laid down by the Apex Court in the case of **Suleman Vs. The State of Maharashtra¹** and **Sonadhar Vs. The State of Chhattisgarh²**, since the Applicant has already undergone more than 50 per cent of punishment, i.e. more than 12 years, we deem it appropriate to allow the present application in terms of prayer clause (b).

5. The Applicant shall be released, on executing PR bond of Rs.25,000/- with one or two surety in the like amount.

6. Till the hearing of the appeal is concluded, the Applicant shall mark her presence in first week of every alternate calendar month with the concerned Police Station.

1 Cri.Appeal No.491-22 dated 25 March 2022 S.C.

2 2022 LiveLaw (SC) 788

7. She is also directed to furnish her contact number and the residential address to the concerned Police Station.

(N.R. BORKAR, J.)

(NITIN W. SAMBRE, J.)