



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

**INTERIM APPLICATION NO.4091 OF 2023
IN
CRIMINAL APPEAL NO.1226 OF 2023**

Raju Puna Ramole ... Applicant
Versus
The State of Maharashtra
(Through Satana Police Station) ... Respondent

Mr. Shrirang Katneshwar Kar i/b Ganesh Gadhe for the Applicant.

Mr. A.R. Patil, APP for Respondent-State.

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 6 NOVEMBER 2023

P.C.

. This is an application for suspension of sentence and grant of bail during the pendency of the Criminal Appeal preferred by the Applicant challenging the judgment and conviction.

2 Applicant is convicted by Special Judge, Malegaon, Tal. Malegaon, Dist. Nashik in Spl (ACB) Case No.37 of 2021 under Section 7 of the Prevention of Corruption Act, 1988, vide Section 235 of the Code of Criminal Procedure, 1973 and sentenced to suffer rigorous imprisonment for five years and to pay a fine of Rs.10,00,000/-.

3 Heard learned Counsel for the Applicant and learned APP for Respondent-State.

4 Perused the record. Applicant is Government Servant and the sentence imposed upon is a short term sentence and the appeal preferred by the Applicant/Appellant is not likely to be heard in near future. No exceptional circumstances are there on record to deny relief to the Applicant. In the light of decision of the Apex Court in the case of **Bhagwan Rama Shinde Gosai and Ors. Vs. State of Gujrat**¹, the Applicant deserve to be released on bail. Hence, the following Order :

- (i) Interim Application is allowed.
- (ii) Substantive sentence of imprisonment imposed vide judgment and order dated 25th October 2023 in Special (ACB) Case No.37/2021 passed by Special Judge, Malegaon, Tal. Malegaon, Dist. Nashik is suspended during the pendency of the Appeal.
- (iii) Applicant- Raju Puna Ramole be released on bail on executing PR bond in the sum of Rs.15,000/- with one surety in the like amount.

¹(1999) SCC (Cri.) 553

- (iv) Applicant-Raju Puna Ramole shall furnish his permanent address as well as present address to the concerned police station along with copies of his Aadhar Card and Cell number/s.

(NITIN B. SURYAWANSHI, J.)