



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

**CRIMINAL APPLICATION NO.817 OF 2024 IN
CRIMINAL APPEAL NO.10 OF 2021**

Ambadas Gyandeo Jadhav

... APPLICANT

VERSUS

The State of Maharashtra

... RESPONDENT

.....
Mr. S.S. Jangada, Advocate for applicant

Mrs. U.S. Bhosle, A.P.P. for respondent – State

.....

**CORAM : R.G. AVACHAT AND
NEERAJ P. DHOTE, JJ.**

DATE : 28th FEBRUARY, 2024

ORDER :

Heard learned counsel for the applicant/ appellant No.2. He submits that, the co-convicts, who are similarly situated with the applicant/ appellant No.2, are granted bail by this Court by suspending their sentences by orders dated 5/12/2022 and 12/2/2024 in Criminal Application No.2247/2022 and 380/2024 respectively. He submits that, the applicant/ appellant No.2 be released on bail by suspending his sentence.

2. The learned A.P.P. though opposes the application, fairly submits that, the role attributed to the present applicant/ appellant No.2 is similar to that of the role attributed to the convicts who are released on bail by this Court.

3. Perused the evidence of the sole eye witness i.e. P.W.1. The role attributed to the present applicant/ appellant No.2 is similar to that of the said applicants who are granted bail by this Court. The applicant/ appellant No.2 is behind the bars for more than seven and half years. There is no likelihood that the appeal would come up for hearing in near future. In this view of the matter, we pass the following order :

ORDER

- (i) The Criminal Application is allowed.
- (ii) Pending decision of the Appeal, the substantive sentence of imprisonment imposed by learned Additional Sessions Judge, Basmatnagar, by order dated 10/12/2020, passed in Sessions Trial No.49/2016 to stand suspended so far as the present applicant Ambadas Gyandeo Jadhav, and the present applicant be released on bail on his executing P.R. bond in the sum of Rs.15,000/- (Rupees fifteen thousand) with one surety in the like amount.

(NEERAJ P. DHOTE, J.)

(R.G. AVACHAT, J.)

fmp/-