



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2057 OF 2024
IN/WITH APPEAL/484/2024

Ashok Dallu Rathod
VERSUS
The State of Maharashtra

...
Advocate for Applicant : Mr. Abhaysinh K. Bhosle
APP for Respondents: Mr. N.R. Dayama

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CORAM : SANJAY A. DESHMUKH, J.
(VACATION COURT)
DATED : 22nd MAY, 2024.

PER COURT :-

1. Issue notice to the respondent, returnable on 13.06.2024.
Learned A.P.P. waives notice for the respondent.

2. Learned advocate for the applicant submitted that the applicant is convicted under Section 7 of the Prevention of Corruption Act, 1988 and sentenced to suffer imprisonment for three years and to pay a fine of Rs.5,000/- (Rs. Five thousand only), in default to suffer simple imprisonment for one month. The applicant is also convicted under Section 13(1)(d) and under Section 13(2) of the Prevention of Corruption Act, 1988 and sentenced to suffer imprisonment for four years and to pay a fine of Rs.5,000/- (Rs. Five thousand only), in default to suffer simple imprisonment for one month. Learned advocate for the applicant further submitted that the applicant has deposited the entire fine amount in the trial court.

3. Perused the impugned judgment and the depositions of the informant Avinash Bhaskar Mali and other witnesses. It appears that the applicant was on bail during trial.

4. Considering all these aspects, it would be proper to suspend the substantive part of sentence and grant bail to the applicant till the decision of appeal.

5. In view of the above, during pendency of criminal appeal, the substantive part of sentence awarded by the learned Special Judge, Osmanabad, in Special Case (ACB) No. 22 of 2015 is hereby suspended and till then the applicant be released on bail on furnishing P.R. bond of Rs.25,000/- with one surety of the like amount. The bail before the trial court.

6. The application is disposed of.

(SANJAY A. DESHMUKH, J.)

rlj/