



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

**CRIMINAL APPLICATION NO.4579 OF 2023 IN  
CRIMINAL APPEAL NO.1189 OF 2023**

Rakesh Devidasrao Randhe

**... APPLICANT**

**VERSUS**

The State of Maharashtra

**... RESPONDENT**

.....  
Mr. P.V. Barde, Advocate for applicant  
Mrs. U.S. Bhosle, A.P.P. for respondent  
.....

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

**DATE : 30th JANUARY, 2024**

**ORDER :**

This is an application for suspension of substantive sentence and releasing the applicant on bail pending the appeal.

2. Heard learned counsel for both the sides. Perused the Paper Book.

3. The applicant- appellant has been convicted for the offence punishable under Section 307 of the Indian Penal Code and sentenced to suffer life imprisonment with fine of Rs.2,10,000/-.

4. The learned A.P.P. objects for allowing the application.

5. The role attributed to the applicant is assault by knife. It is not disputed that the incident occurred five (5) years back and the victim is now well oriented. The applicant – appellant was on bail during the trial. The applicant – appellant is behind the bars for a period of two years. The appeal may take time for final hearing. Under such circumstances, we are inclined to allow the application subject to deposit of the entire amount of fine by the applicant. Hence we proceed to pass the following order.

**ORDER**

(i) The Criminal Application is allowed.

(ii) On condition of the applicant depositing the entire amount of fine of Rs.2,10,000/- before the Sessions Court, pending the appeal, the substantive sentence of imprisonment imposed upon the applicant by learned Additional Sessions Judge, Jalna in Sessions Case No.111/2017, vide judgment and order dated 9/11/2023 to stand suspended and the 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.

(iii) The applicant – appellant shall not change his address without intimation to the concerned Police Station.

(iv) Bail before the Sessions Court.

6. The Criminal Application stands disposed of.

**(NEERAJ P. DHOTE, J.)**

**(R.G. AVACHAT, J.)**

fmp/-