

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

**INTERIM APPLICATION NO.2269 OF 2024
IN
CRIMINAL APPEAL NO.601 OF 2024**

Sharad Vitthal Koli Applicant

versus

The State of Maharashtra Respondent

.....

- Ms. Trisha Choudhari a/w Mahadeo A. Choudhari, Advocate for Applicant.
- Mr. Swapnil V. Walve, APP for the State/Respondent.

**CORAM : SARANG V. KOTWAL, J.
DATE : 19th JUNE, 2024**

P.C. :

1. This is an application for bail pending disposal of the Appeal filed by the Applicant. The Applicant was one of the accused in Sessions Case No.51 of 2023 before the Additional Sessions Judge, Solapur. The Applicant and others were convicted for commission of offence punishable u/s 332 r/w 149 of the Indian Penal Code. The Applicant and others were sentenced to suffer simple imprisonment for one month and to pay a fine of Rs.1,000/- and in default to suffer further simple imprisonment for 10 days. They were also convicted u/s 353

r/w 149 of the Indian Penal Code and sentenced to suffer simple imprisonment for one month and to pay a fine of Rs.1,000/- and in default of payment to suffer simple imprisonment for 10 days.

2. Heard Ms. Trisha Choudhari, learned counsel for the Applicant and Mr. Swapnil V. Walve, learned APP for the State.
3. The matter pertains to the incident dated 04/07/2015. It is the case of prosecution that the then MLA and his followers damaged the public property, assaulted the police personnel by pelting stones.
4. Learned counsel for the Applicant invited my attention to the paragraph No.58 of the impugned Judgment and Order, wherein the learned Judge has observed that doubt was created on the testimony of the witness PW.8 Ajit Survase.
5. Arguable points are raised. The maximum sentence is for one month. The Appeal is not likely to be decided within that period. Therefore, the Applicant can be granted bail during pendency of his Appeal.

6. Hence, the following order :

ORDER

- (i) During pendency and final disposal of the Criminal Appeal No.601 of 2024, the Applicant is directed to be released on bail on his furnishing PR. Bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only), with one or two sureties in the like amount.
- (ii) The application is disposed of.

(SARANG V. KOTWAL, J.)