

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

**INTERIM APPLICATION NO.2515 OF 2023
IN
CRIMINAL APPEAL NO.789 OF 2023**

Raju Shankar Jadhav	.. Applicant/Appellant.
vs.	
State of Maharashtra	.. Respondent

Mr. Abhishek Kulkarni with Sagar Wakale for the Applicant/Appellant.
Mrs. A. A. Takalkar APP for the Respondent-State.

**CORAM: A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.**

DATE : 17th JANUARY, 2024.

P. C.:-

- 1) This is Application for suspension of sentence and releasing the Applicant on bail.
- 2) Evidence of P.W.2 – Sanjay Shivaji Patil, indicates that, the self incriminating confession given by the Applicant to a Police Officer is treated as the First Information Report and thereafter the criminal law was set into motion. There are no independent witnesses to the alleged extra judicial confession given by the Applicant.
- 3) *Prima facie* it appears to us that the case of the Applicant is squarely covered by the decision of the Apex Court in the case of *Aghnoo*

Nagesia vs. State of Bihar reported in *AIR 1966 SC 119* and therefore during the pendency of the Appeal, we are inclined to suspend the sentence imposed upon the Applicant and release him on bail.

4) Hence, the following order :

(i) Applicant be released on bail in Sessions Case No.135 of 2020 arising out of C.R. No.6 of 2020 registered with Miraj City Police Station on his furnishing P.R. bond of Rs.25,000/- with one or more sureties in the like amount.

(ii) After his release from jail and during pendency of the Appeal, the Applicant shall attend Miraj City Police Station on every first Monday of the month between 10.00 am and 12 noon, initially for a period of one year and thereafter on every first Monday of every third calendar month i.e. four times in a year between 10.00 am and 12 noon.

(iii) Applicant shall make himself available at the time of final hearing of the Appeal.

(iv) Application is disposed of in the aforesaid terms.

(SHYAM C. CHANDAK,J.)

(A. S. GADKARI, J.)