

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 897 OF 2024****IN****CRIMINAL APPEAL NO.653OF 2021**

Ganesh Vilas Raut

... Applicant

V/s.

The State of Maharashtra

... Respondent

Mr. Harshaad Sathe for Applicant.

Mr. Vinod Chate, A.P.P. for Respondent-State.

**CORAM : A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.****DATE : 3rd APRIL 2024****P.C. :**

(1) This is the successive Application for suspension of sentence and releasing the Application on bail.

(2) Earlier application preferred by the applicant was disposed off as withdrawn by an Order dated 4th May 2022.

(3) Learned Advocate for the Applicant submitted that, Applicant is behind bars since the date of his arrest, i.e. 15th November, 2013 and as of today has undergone more than 10 years in incarceration. The said fact is not disputed by the Respondent-State.

(4) In view of the guidelines issued by the Hon'ble Supreme Court in the case of Saudan Singh v/s. The State of Uttar Pradesh in Criminal Appeal

No. 308 of 2022 [@ SLP (Crl.) No. 4633 of 2021], dated 25th February, 2022 and the view expressed in cases of (i) Suleman v/s. The State of Uttar Pradesh, Criminal Appeal No. 491 of 2022 (Arising out of SLP (Crl.) No. 1451 of 2022) dated 25th March 2022 and (ii) Dinesh @ Paul Daniel Khajekar v/s. State of Maharashtra & Anr., Criminal Appeal No. 2987 of 2023 (Arising out of S.L.P (Crl.) No. 10320 of 2023) dated 25th September 2023, the Applicant is entitled to be released on bail during the pendency of Appeal.

(5) In view of the above, during the pendency of the present Appeal, the substantive sentence imposed upon the Applicant is suspended and he is released on bail on the following terms and conditions :-

(i) The Applicant shall be released on bail in Sessions Case No.223 of 2014 arising out of C.R.No.254/2013 registered with Vartak Nagar Police Station, Thane, on his furnishing P.R. bond in the sum of Rs.25,000/- each with one or two separate solvent local sureties in the like amount.

(ii) After his release from jail and during the pendency of the present Appeal, the Applicant shall attend Vartak Nagar Police Station, Thane, on every first Monday of the month between 10.00 a.m. and 12.00 noon initially for a period of one year.

After end of one year, the Applicant shall attend Vartak

Nagar Police Station, Thane, on every 1st Monday of every 3rd Month between 10:00 a.m. and 12:00 noon. The Applicant thus shall attend Vartak Nagar Police Station, Thane, four times in a year during the pendency of the present Appeal.

(iii) In case of two consecutive defaults in complying with the aforestated conditions, the Prosecution is at liberty to file an Application for cancellation of his bail.

(iv) Applicant shall inform his prospective residential address to the trial Court. The Applicant shall keep informed the trial Court of any change in his residential address and his mobile number, on which he can be contacted.

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

(6) Interim Application is allowed in the aforesaid terms.

(SHYAM C. CHANDAK, J.)

(A.S. GADKARI, J.)

RAJESH
VASANT
CHITTEWAN

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