



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

**CRIMINAL APPLICATION (APPA) NO.693 OF 2024 IN
CRIMINAL APPEAL ST NO. 5948 OF 2024**

RAJKUMAR RAJU BAHURIYA AND ANOTHER

VS

THE STATE OF MAHARASHTRA THR. PSO BALLARPUR TAH. AND DIST. CHANDRAPUR

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. M.V. Rai, Advocate for the applicant/s

Mr. H.D. Futane, APP for the non-applicant/State

**CORAM : SMT. VIBHA KANKANWADI
& MRS. VRUSHALI V. JOSHI, JJ.**

DATE : 26.07.2024.

1. The present application has been filed for condonation of delay of 69 days in filing appeal, challenging the conviction awarded to the applicants by the learned Additional Sessions Judge, Chandrapur in Sessions case No.126 of 2021 on 04.03.2024, wherein they were convicted for the offences punishable under Section 324, 506 read with Section 34 of the IPC and Section 4 punishable under Section 25 of the Arms Act.
2. Issue notice to the non-applicant.
3. The Learned APP waives service of notice for non-applicant.
4. It appears that the persons who are the original accused Nos.1 and 2, were in judicial custody since 31.05.2021 till the date of judgment and thereafter, they continued to be in custody and therefore, for the reasons stated in the application, the delay

stands condoned. The application stands **allowed and disposed** of. Registry to verify and register the appeal.

Criminal Appeal st No. 5948 of 2024

5. Since the arguable points are made, the appeal is **admitted**.
6. Issue notice to the respondent.
7. The Learned APP waives service of notice for respondent.
8. Call R and P with paper-book.

CRIMINAL APPLICATION (APPA) (ST) NO.5949 OF 2024

9. This is an application for suspension of sentence and to grant bail under Section 389 of CrPC.
10. The learned APP waives notice for the State.
11. The learned Advocate for the appellant/applicant has produced the copies of the depositions, however, if he wants to press the application for suspension of sentence, he should also provide the copies of the Spot Panchnama, P.M. Report and Discovery Panchnama before 21.08.2024. Copies of those documents be given to the other side in advance.
12. Place the matter for hearing on **28.08.2024**.

VRUSHALI V. JOSHI, J]

[SMT. VIBHA KANKANWADI, J]