



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1205 OF 2025
IN
CRIMINAL APPEAL NO. 218 OF 2025

Limbaji Namdeo More,
Age: 52 years, Occu. : Labour,
R/o. Kamlapure, Tq. Purna,
Dist. Parbhani.

... Applicant

Versus

The State of Maharashtra,
Through Police Station Tadkals,
Tq. Naigaon, Dist. Nanded.

... Respondent

.....
Mr. Madhukar M. Parghane, Advocate for Applicant.
Mrs. Vaishali S. Chaudhari, APP for Respondent – State.
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CORAM : ABHAY S. WAGHWASE, J.
DATED : 01 APRIL 2025

PER COURT :

1. Instant application is for suspension of sentence and grant of bail on account conviction recorded by learned Additional Sessions Judge, Parbhani in Sessions Case No.156 of 2021 sentencing applicant to suffer one year, ten days, six months, one month, three months and six months imprisonment, respectively, for offence punishable under sections 353, 341, 324, 323, 504 and 506 of Indian Penal Code.

2. Learned counsel submitted that, applicant was tried by Additional Sessions Judge, Parbhani vide Sessions Case No. 156 of 2021 and held guilty by judgment and order dated 10.03.2025 passing above sentence for above offences. Learned counsel submits that, said judgment has been taken exception to, but appeal is of 2025 and there are no immediate prospects of appeal being heard or decided. He pointed out that, applicant was on bail during trial and even fine amount is said to be paid and hence he urges for grant of bail and suspension of sentence.

3. Learned APP opposed on the ground that, on full-fledge trial conviction is recorded and there is possibility of misuse of liberty.

4. Heard. Perused the papers. By virtue of judgment and order dated 10.03.2025 applicant is held guilty for above offences. Maximum sentence is of one year. Applicant is said to be on bail during trial and fine amount is already paid. Considering the quantum of sentence and as appeal is of 2025, obviously it would take long time to be heard and decided, relief of suspension of sentence and grant of bail deserves to be granted. Hence, I proceed to pass the following order :-

ORDER

I. Criminal Application stands allowed.

II. The substantive sentence imposed on the applicant Limbaji Namdeo More in Sessions Case No.156 of 2021 by learned Additional Sessions Judge, Parbhani on 10.03.2025 stands suspended till the final hearing and disposal of Criminal Appeal No.218 of 2025.

III. The applicant be released on P.R. Bond of Rs.15,000/- (Rupees Fifteen Thousand Only) with two solvent sureties in the like amount.

IV. The applicant shall not commit any criminal activity.

V. The applicant shall remain present before the learned trial Judge once in six months, till final hearing and disposal of the appeal, commencing from the date he tenders bail papers and thereafter, the trial Judge to fix dates for his subsequent appearances.

VI. In case of two consecutive defaults on the part of the applicant to remain present before the trial court, the trial court to inform this court about the same and in that eventuality, the prosecution would be at liberty to file an application for cancellation of bail granted to the applicant.

VII. Bail before the trial court.

(ABHAY S. WAGHWASE, J.)