



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO. 1610 OF 2025
IN CRIMINAL APPEAL NO.323 OF 2025**

1. Gorakh S/o Anna Chandane
Age: 33 years, Occu.: Labour.
2. Anna S/o Bhika Chandane
Age: 58 years, Occu.: Labour.
3. Revnath S/o Anna Chandane
Age: 30 years, Occu.: Labour.

All above are residing at Post Village
Daigavhan, Tq. & District Aurangabad. ..Applicants

Versus

- . The State of Maharashtra
Through Incharge Police Station Paithan,
Tq. & Dist.Aurangabad. ..Respondent

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Advocate for Applicants : Mr.Arun S.Shejwal
APP for Respondent : Mr.VM.Jaware

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 06 MAY, 2025

ORDER :

1. Not on board. Taken on board.
2. Issue notice to the respondent. Learned APP waives service of notice for respondent.
3. Present application is for suspension of sentence and grant of bail on account of conviction recorded by learned Sessions Judge,

Aurangabad in Sessions Case No.218 of 2018 dated 16-04-2025 for offence under Sections 147, 148, 324 r/w 149 of the Indian Penal Code (IPC).

4. Learned counsel pointed out that applicants were tried vide above sessions case and vide judgment and order dated 16-04-2025 they have been held guilty. He submitted that maximum sentence awarded is for two years. That, applicants were on bail during trial. That, fine amount is paid. That, learned trial Judge had granted interim relief till appeal period is over. Therefore, he prays for relief of suspension of sentence and grant of bail.

5. Learned APP submits that on full-fledge trial, conviction has been recorded. He also apprehends misuse of liberty, if bail is granted.

6. Perused the papers. After considering the above submissions that applicants were on bail during trial, fine amount is deposited, learned trial Court had granted interim relief till appeal period is over and taking into account quantum of sentence, and appeal being of 2025, as there are no prospects of appeal being heard and decided in near future, relief as prayed deserves to be granted. Hence,

following order :

ORDER

- (i) Criminal Application stands allowed.
- (ii) The substantive sentence imposed on the applicants (a) Gorakh S/o Anna Chandane (b) Anna S/o Bhika Chandane (c) Revnath S/o Anna Chandane in Sessions Case No.218 of 2018 by the learned Sessions Judge, Aurangabad on 16-04-2025, stands suspended till the final hearing and disposal of Criminal Appeal No.323 of 2025.
- (iii) The applicants be released on P.R. Bond of Rs.15,000/- (Rs. Fifteen thousand only) each with two solvent sureties in the like amount each.
- (iv) The applicants shall not commit any criminal activity.
- (v) The applicants 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 their subsequent appearances.
- (vi) In case of two consecutive defaults on the part of the applicants 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 the bail granted to the applicants.
- (vii) Bail before the trial Court.

(ABHAY S. WAGHWASE)
JUDGE