



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

**904 CRIMINAL APPLICATION NO. 2228 OF 2025
IN APEAL/453/2025**

BHAGWAN KISAN THOMBARE

....Applicant

VERSUS

THE STATE OF MAHARASHTRA

.....Respondent

WITH

CRIMINAL APPEAL NO. 453 OF 2025

Mr. S. B. Solanke, Advocate for the applicant

Mr. B. A. Shinde, APP for the respondents/State

CORAM : ABHAY J. MANTRI, J.

DATE : 30th SEPTEMBER, 2025

PER COURT :

1. The applicant/accused has filed this application to suspend the substantive sentence imposed by order dated 30-05-2025 passed by the learned Special Judge (POCSO)/Additional Sessions Judge, Parbhani in Special Case No. 97/2024.
2. Heard the learned advocate for the applicant and learned APP for the respondent/State.
3. None appeared for respondent No.2, though appointed.
4. Perused the impugned judgment and record.
5. At the outset, it appears that the applicant was on bail during the trial. After a conviction order was passed, the applicant

was released on bail on the same date on furnishing PB and SB of Rs. 25,000/-.

6. Being aggrieved by the impugned judgment and order, the applicant/appellant has preferred the criminal appeal. By order dated 25-06-2025, this court has continued the order passed by the learned Trial Court till this date. It is also contended that the applicant had deposited the entire fine amount with the learned Trial Court.

7. Having considered the aforesaid facts as well as grounds raised in the appeal memo, in my view, it would be appropriate to suspend the substantive sentence imposed on the applicant by the impugned judgment and order and release him on bail till the disposal of the appeal, as the appeal will take its own time to decide finally.

8. In view of the above, the criminal application is allowed as prayed for. The substantive sentence imposed by the Judgment and order dated 30-05-2025, passed by the learned Special Judge (POCSO)/Additional Sessions Judge, Parbhani, in Special Case No. 97/2024, is hereby suspended till the disposal of the appeal. The bail bonds executed by the applicant before the learned Trial Court shall continue until the criminal appeal is disposed of.

CRIMINAL APPEAL NO. 453 OF 2025.

1. Heard.
2. Considering the grounds raised in the appeal memo, the appeal is **'admitted'**.
3. Issue notice to the respondents. The learned APP waives service of notice for the respondent/State.
4. Call for R & P along with the paper book.
5. List the appeal after receipt of R & P

[ABHAY J. MANTRI, J.]

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