



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

**911 CRIMINAL APPLICATION NO. 2299 OF 2025
IN APEAL/470/2025**

Sahdeo Bhagwat Pawar

VERSUS

The State Of Maharashtra

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Advocate for Applicant : Mr. Sahdeo Bhagwat Pawar

APP for Respondents-State: Ms. P. V. Diggikar

...

CORAM : ARUN R. PEDNEKER, J.

Dated : July 02, 2025.

PER COURT :-

1. The present application has been filed by the original accused for suspension of the substantive sentence imposed on him by the judgment and order dated 23/05/2025, passed in Sessions Case No.140 of 2022 by the learned Sessions Judge, Osmanabad, District Osmanabad. The applicant has been convicted and sentenced to undergo imprisonment as under : -

"1) The accused Sahdeo Bhagwat Pawar is hereby convicted as per section 235(2) of Code of Criminal Procedure, 1973 of the offence punishable under Section 307 of the Indian Penal Code, 1860 and sentenced to undergo rigorous imprisonment for four years and to pay a fine of Rs.10,000/- (Rupees ten thousand only), in default to suffer simple imprisonment for three months.

2) The accused Sahdeo Bhagwat Pawar is further convicted as per section 235(2) of Code of Criminal Procedure, 1973 of the offence punishable under Section 506 of the Indian Penal Code, 1860 and sentenced to undergo rigorous imprisonment for one year and to pay a fine of Rs.2,000/- (Rupees two thousand only), in default to suffer simple imprisonment for one month."

2. Heard the learned Counsel for the applicant and the learned APP for the respondent-State.

3. The learned Counsel for the applicant submits that the applicant was

arrested on 10/07/2022 and continues to remain in custody since then. He was not released on bail at any stage. It is further submitted that the sentence imposed is four years' imprisonment, and the applicant has already undergone three years of the said sentence.

4. In view of the above, and considering that the trial would take some time to conclude, the applicant is entitled to be released on bail pending the decision of the appeal, subject to the condition that he shall deposit the fine amount before the Trial Court, if the same has not already been deposited, and on the following terms :

ORDER

- 1) The application stands allowed, subject to the condition that the applicant shall deposit the fine amount before the Trial Court, if the same has not already been deposited.
- 2) The sentence imposed on the applicant / appellant in Sessions Case No.140 of 2022, on 23/05/2025, by the learned Sessions Judge, Osmanabad, District Osmanabad, is hereby suspended till the final hearing and disposal of Criminal Appeal No.470 of 2025.
- 3) The applicant/ appellant be released on P.R. of Rs.30,000/- (in words rupees thirty thousand only) with two sureties of Rs.15,000/- each (in words rupees fifteen thousand only).
- 4) Applicant/ appellant shall not commit any criminal

activity.

5) Applicant/ appellant to remain present before the learned Trial Judge once in six months, till final hearing and disposal of the appeal, starting from the date he tenders a bail papers and, thereafter, the Trial Judge to fix dates for his subsequent appearances.

6) In case of two consecutive defaults on the part of appellant to remain present before the Trial Court, the Trial Court to inform this Court about the same, and in that case the prosecution would be at liberty to file an application for cancellation of the bail granted to the appellant.

7) Bail before Trial Court.

(ARUN R. PEDNEKER, J.)

vj gawade/-.