



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

913 CRIMINAL APPLICATION NO. 4436 OF 2025
IN
CRIMINAL APPEAL NO.849 OF 2025

Anna Gaibi Gade

....Applicant

Versus

The State of Maharashtra

.....Respondent

.....

Ms. Sunita G. Sonawane, Advocate for the Applicant
Shri. A. D. Wange, APP for the Respondent – State.

.....

CORAM : NEERAJ P. DHOTE, J.

Dated : DECEMBER 18, 2025

PER COURT :-

1. Heard the learned Advocate for the Applicant – Appellant and the learned APP for the State. Perused the relevant evidence on record with their assistance.

2. By the present Application, the Applicant is praying for Suspension of his Sentence of Rigorous Imprisonment for five (5) years for the offence punishable under Section 304 II of the Indian Penal Code awarded by the learned Sessions Judge, Beed vide Judgment and order dated 08.10.2025 in Sessions Case No.203/2023.

3. The case of the Prosecution, in brief, is that, the Applicant assaulted the Deceased by stick. Due to the injuries in the assault, the Deceased succumbed to the injuries. The cause of death is head injury and hemorrhage shock. The maximum substantive sentence imposed is that of five years. The Applicant is behind the bars for a period of little

over 2 ½ years. This shows that he has undergone half of the sentence. The Appeal is recently admitted. The Record and Proceedings are awaited. The Appeal is not likely to be heard finally in the near future. In this view of the matter, I proceed to pass the following order.

ORDER

- (i) The Application is allowed.
 - (ii) The substantive Sentence imposed by the learned Sessions Judge, Beed, *vide* Judgment and order dated 08.10.2025 in Sessions Case No.203/2023 on the Applicant, by name, Anna Gaibi Gade, is suspended during pendency of the Appeal.
 - (iii) Applicant - Anna Gaibi Gade be released on bail on furnishing P. R. Bond of Rs.15,000/- (Rupees Fifteen Thousand Only) with one surety in the like amount.
 - (iv) Applicant shall co-operate in early disposal of the Appeal.
 - (v) Bail before the Trial Court.
4. Application stands disposed off accordingly.

(NEERAJ P. DHOTE, J.)

GGP