



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

**CRIMINAL APPLICATION NO. 4924 OF 2024
IN APPEAL/1060/2024**

. Gajanan S/o. Anantrao Ratnaparkhi
Age: 51 years, Occu.: Goldsmith,
R/o. Kasrali at present Lohar Galli, Biloli,
Tq.Biloli, Dist.Nanded. ..Applicant
(Orig. Accused)

Versus

1. The State of Maharashtra
2. X.Y.Z. ..Respondents

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Advocate for Applicant : Mr.Upendra Bapurao Bilolikar
APP for Respondent no.1 : Mr. V.M.Jaware
Advocate for Respondent no.2 : Ms.Krishnabai Bhande (appointed)

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 3 APRIL, 2025

ORDER :-

1. Leave to make correction in amount.
2. This is an application for suspension of sentence and grant of bail on account of conviction recorded by learned Additional Sessions Judge (Special Court), Biloli, Dist.Nanded in Sessions Case No.37 of 2022 dated 26-11-2024.
3. Learned counsel for the applicant submitted that vide above

Sessions Case No.37 of 2022 and by Judgment and order dated 26-11-2024, applicant is held guilty and sentenced to suffer rigorous imprisonment for three years and to pay fine. That, appeal has been preferred against the above judgment and order. That, applicant was on bail during the trial. That, fine amount has been paid. On above grounds, learned counsel seek relief of suspension of sentence and grant of bail.

4. Learned APP as well as learned counsel for respondent no.2 submit that on full-fledge trial, conviction has been recorded and there is possibility of misuse of liberty, if sentence is suspended and bail is granted.

5. Considering the quantum of sentence and aspect of appeal being filed in 2024 and there are no immediate prospects of appeal being heard and concluded, relief as prayed deserves to be granted.

Hence, following order:

ORDER

- (i) Criminal Application stands allowed.
- (ii) The substantive sentence imposed on the applicant Gajanan S/o. Anantrao Ratnaparkhi in Special Case No. 37 of 2022 by the learned Additional Sessions Judge (Special

Court), Biloli, Dist.Nanded on 26-11-2024 stands suspended till the final hearing and disposal of Criminal Appeal No.1060 of 2024.

(iii) The applicant be released on PR. Bond of Rs.15,000/- (Rs. 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 the bail granted to the applicant.

(vii) Bail before the trial Court.

(viii) Fees of the learned counsel appointed to represent respondent no.2 is to be paid through the High Court Legal Services Sub-Committee, Aurangabad, as per Rules.

(ABHAY S. WAGHWASE)
JUDGE