

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

CRIMINAL APPLICATION NO.3214 OF 2025
IN

CRIMINAL APPEAL (ST.) NO. 8800 OF 2025

Prakashkumar Shantilal Patel

.... Applicant

Versus

The State of Maharashtra

.... Respondent

...

Shri. Samadhan Hari Jadhav, Advocate for the Applicant through Online
Shri. C. V. Bhadane, APP for the Respondent – State.

.....

CORAM : NEERAJ P DHOTE, J.

Dated : SEPTEMBER 11, 2025

PER COURT :-

. This is the Application for Suspension of Substantive Sentence imposed by the learned Additional Sessions Judge, Nandurbar in Sessions Case No.04/2019 by Judgment and Order dated 24.09.2024.

2. The Conviction and Sentence recorded by the learned Trial Court is as follows :

“i] The applicants–accused each, mentioned above shall suffer R.I. for 10 years and they each shall pay fine of Rs.10,000/- each, in default shall under go six months R.I. for the offence under Section 395 of IPC.

ii] The applicants–accused each, mentioned above shall suffer S.I. for one month and they each shall pay fine of Rs. 500/- each, in default shall under go fifteen days S.I. for offence under Section 341 r/w 34 IPC.”

3. Heard the learned Advocate for the Applicant and the learned APP

for the Respondent – State.

4. The Applicant has already undergone the imprisonment of 6 (six) years, 10 (ten) months and 28 (twenty eight) days. The maximum sentence awarded to the Applicant is 10 (ten) years. The Co-convicts by name Dipakkumar Hasmukh Patel, Akshaykumar Shaileshbhai Patel, Rajesh Kanjibhai Patel and Meghraj @ Mehul Amaratji Rajput are released on bail by this Court in Criminal Application No.1109 of 2025 in Criminal Appeal No.288 of 2025 by order dated 02.07.2025 by suspending their sentence. The Applicant has served more than half the Sentence and the Appeal may take time to conclude, hence the following order.

ORDER

- i) Criminal Application is allowed.
- ii) The substantive sentence imposed on the Applicant - Prakashkumar Shantilal Patel in Sessions Case No.04/2019, dated 24.09.2024, by the Additional Sessions Judge, Nandurbar, stands suspended till the final hearing and disposal of Criminal Appeal.
- iii) The Applicant be released on bail on furnishing PR. bond of Rs.20,000/-, with one or two sureties in the like amount. Bail before the Trial Court.
- iv) Criminal Application is disposed of accordingly.
- v) It is also clarified that the observations made in this order are limited only for the purpose of deciding the present Application.

(NEERAJ P. DHOTE, J.)