

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

***INTERIM APPLICATION NO. 1621 OF 2025
(For Bail/Suspension of Sentence)
IN
CRIMINAL APPEAL NO.455 OF 2025***

Mayur Mahadev Sawant-Patil ... Applicant

Versus

The State of Maharashtra, Through
Shahuwadi Police Station & Anr. ... Respondents

Mr. Aditya S. Raktade for the Applicant

Mr. K. V. Saste, Addl. P.P for the Respondent No.1-State

None for the Respondent No. 2

**CORAM : REVATI MOHITE DERE &
DR. NEELA GOKHALE, JJ.
MONDAY, 28th APRIL 2025**

P.C :

1 Heard learned counsel for the parties.

2 By this interim application, the applicant seeks suspension of his sentence and enlargement on bail, pending the hearing and final disposal of his aforesaid appeal.

3 The applicant, vide judgment and order dated 27th March 2025, passed by the learned Additional Sessions Judge, Kolhapur, in Sessions Case No. 205/2018, has been convicted alongwith three other co-accused for the offence punishable under Section 307 r/w 34 of the Indian Penal Code and has been sentenced to suffer imprisonment for life and also to pay fine of Rs. 5,000/-, in default, to suffer rigorous imprisonment for one year.

4 Perused the appears. It appears that the incident took place on 19th August 2018. In the said incident, the applicant, along with 2 others allegedly held the injured-Sanjay Jadhav, and at the same time, co-accused Bharat Patil assaulted Sanjay (PW2) with a knife near his eye, neck and forehead. The injury on the neck resulted in affecting the vocal cords of the injured.

5 Learned counsel for the applicant states that the applicant is only alleged to have held Sanjay Jadhav. He further

states that there is some discrepancy with respect to the same, inasmuch as, one of the witness i.e. PW6-Laxmi Jadhav has stated that initially, the applicant embraced the injured and that, co-accused Deepak and Vijay came and held the injured, and thereafter, Bharat assaulted the injured near his eye, forehead and neck. He states that the applicant was on bail pending trial and has not abused the conditions of bail.

6 The appeal is of the year 2025 and is not likely to be heard in the immediate near future. Considering the role of the applicant, in particular, the application is allowed and the applicant's sentence is suspended and he is enlarged on bail, pending the hearing and final disposal of the aforesaid appeal, on the following terms and conditions:

ORDER

- i) The applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs. 50,000/- with one or two solvent sureties in the like amount;

- ii) The applicant shall report to the trial Court, on the first Saturday of every month, initially for a period of 12 months and thereafter, on the first Saturday of every alternate month, till his appeal is finally disposed of;
- iii) The applicant shall keep the trial Court informed of his current address and mobile contact number and/or change of residence or mobile details, if any, from time to time;
- iv) If there are two consecutive defaults in appearing before the trial Court, the learned Judge shall make a report to the High Court and the prosecution would be at liberty to file an application seeking cancellation of bail.

7 Interim Application is disposed of in the above terms.

8 All concerned to act on the authenticated copy of this order.

DR. NEELA GOKHALE, J.

REVATI MOHITE DERE, J.