

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.2278 OF 2025
IN
CRIMINAL APPEAL NO.662 OF 2025

Shri. Rohit Ananda Patole & Anr.	...Applicants
<i>Versus</i>	
The State of Maharashtra	...Respondent

Mr. Prashant Bhavake, Advocate for the Applicants.
Mr. K.C. Shinde, APP, for the Respondent-State.

CORAM: MADHAV J. JAMDAR, J.
DATED : 10th July 2025

PC:-

1. This Interim Application is taken out for suspension of sentence and for release of the Applicants on bail.

2. By separate Order dated 10th July 2025, the Criminal Appeal No. 662 of 2025 has already been admitted.

3. By the impugned Order dated 17th May 2025, passed by the learned Additional Sessions Judge, Kolhapur in Sessions Case No.37 of 2021, both the Accused were sentenced to rigorous imprisonment of three years and to pay fine of Rs.5,000/- each.

4. The F.I.R. has been lodged on 4th July 2020, Accused No.1 i.e. Applicant No.1 has undergone detention during trial from 4th July 2020 to 19th October 2020. The Accused No.2 i.e. Applicant No.2 has undergone detention during trial from 4th July 2020 to 7th October 2020. During trial, both the Applicants were on bail. There is nothing on record to indicate that the Applicants have misused the said liberty.

5. After passing of the impugned Judgment and Order of conviction and sentence dated 17th May 2025, passed in Sessions Case No.37 of 2021, an application has been filed under Section 389(3) of Code of Criminal Procedure.

6. The learned Trial Court partly allowed the said Application and suspended the conviction Order passed against Accused No.2 – Rahul Patole for a period of one month and directed his release on bail on furnishing P.R. bond of Rs.15,000/- with surety in the like amount.

7. As the Appeal would take considerable time for hearing and as the Appeal has already been admitted, the case is made out for

grant of bail and suspension of sentence during the pendency of the Appeal.

8. Accordingly, the Applicants can be enlarged on bail. In view thereof, the following order:

ORDER

- (a) The sentence of imprisonment imposed vide Judgment and Order dated 17th May 2025 passed by the learned Additional Sessions Judge, Kolhapur, in Session Case No.37 of 2021 is suspended during pendency of Criminal Appeal No.662 of 2025, preferred by the Applicants and the Applicants are directed to be released on bail on executing PR Bond in the sum of Rs.25,000/- each, with one or more solvent sureties in the like amount to be furnished by each of the Applicants.
- (b) On being released on bail, the Applicants shall furnish their cell phone numbers and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto;

(c) The Applicants shall not contact the injured or their family members or any other witnesses in any manner.

9. Accordingly, the Interim Application is allowed in the aforesaid terms and disposed of.

(MADHAV J. JAMDAR, J.)

BHALCHANDRA
GOPAL DUSANE

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