

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 3708 OF 2025
IN
CR. APPEAL(ST) NO. 18729 OF 2025**

Nitin Alias Appa Jagannath Bagade ...Applicant
Versus
The State Of Maharashtra ...Respondent

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Ms. Kavita Shinde for the applicant appointed through Legal Aid

Mr. S. S. Chaudhari APP for the State

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CORAM : SHIVKUMAR DIGE, J.

DATE : 23rd DECEMBER, 2025

P.C.

1. Heard learned counsel for the Applicant and learned APP for the Respondent – State.
2. By this application, the Applicant is seeking suspension of sentence imposed on him by the learned Additional Sessions Judge, Barshi in Sessions Case No.230 of 2023.
3. It is contention of learned counsel for the Applicant that the Applicant has been convicted for the offence punishable under Section 489(c) read with Section 34 of the Indian Penal Code, 1860 (for short, “IPC”), and sentenced to suffer Rigorous Imprisonment for seven years and pay to fine of Rs.2,000/- in default thereof to suffer

further Simple Imprisonment for two months. Learned counsel further submitted that the Applicant has deposited fine amount. During trial, the Applicant was on bail. The Applicant is behind bar for around three months. The Applicant has no antecedent. It may take time to conclude the trial, and requested to allow the application.

4. It is contention of learned APP that the prosecutions has proved case beyond reasonable doubt before the trial Court accordingly the Applicant has been convicted. If the Applicant is released on bail, he may abscond and requested to reject the application.

5. I have heard both learned, perused the impugned judgment and order.

6. During the trial, the Applicant was on bail. He has not misused liberty. The Applicant is behind bar around three months. The Applicant has no antecedent. It may take time to conclude the trial. Considering these fact, I pass following order:

ORDER

- i. The Application is allowed.
- ii. The substantive sentence imposed on the Applicant in Sessions Case No.230 of 2023, in terms of order dated 02/08/2025 passed by the learned Additional

Sessions Judge, Barshi, till final disposal of the appeal.

- iii. The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.20,000/- with one or two sureties in the like amount.
- iv. The bail bond to be furnished before the trial Court.
- v. Criminal Interim Application stands disposed off.

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

(SHIVKUMAR DIGE, J.)