

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

**INTERIM APPLICATION NO.3693 OF 2024
IN
CRIMINAL APPEAL NO.813 OF 2025**

Suresh Lahanu Naik ... Applicant
V/s.
State of Maharashtra & Anr. ... Respondents

Mr. Vishal G. Salvi a/w Tejas P. Pawar for the Applicant.
Mr. B. V. Holambe-Patil, APP for Respondent No.1-State.
Mr. Saroj Jadhav, Advocate appointed, Legal Aid Panel for Respondent No.2.

**CORAM : N.R. BORKAR, J.
DATE : 04TH SEPTEMBER 2025**

PC. :

1. By this Application, the Applicant is seeking suspension of sentence and grant of bail during the pendency of Appeal filed by him against the judgement and order dated 8th May 2024 passed by the Sessions Judge, Alibag in Special (Atrocity) Case No.13 of 2021, by which the Learned Sessions Judge has convicted the present Applicant for the offence punishable under Section 376 of the IPC and sentenced him to suffer rigorous imprisonment for 10 years.

2. I have heard Learned Counsel for the Applicant, Learned APP for Respondent No.1-State and Learned Counsel for Respondent No.2.

3. Learned Counsel for the Applicant submits that the Applicant has good case on merits. It is submitted that till date the Applicant has undergone sentence of 4 years and 8 months. It is submitted that considering the pendency of the Criminal Appeals, the Appeal filed by the Applicant is not likely to be taken up for final hearing. It is submitted that considering the facts and circumstances, the sentence be suspended and the Applicant be released on bail.

4. On the other hand, Learned APP for Respondent No.1-State and Learned Advocate for Respondent No.2 submit that the Applicant is convicted for the serious offence of rape. It is submitted that considering the nature of the offence, the sentence may not be suspended.

5. The fact that the Applicant has undergone the sentence of 4 years and 8 months is not disputed. The Appeal is of the year 2024. The paper book is not yet ready. Considering the overall facts and circumstances, I am inclined to suspend the sentence and release the Applicant on bail.

6. The substantive sentence imposed upon the Applicant by the trial court is suspended. The Applicant shall be released on bail on furnishing

PR bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.

7. The Applicant shall attend the concerned Police Station once in a month, i.e., on first Saturday between 11.00 a.m. to 2.00 p.m. during the pendency of Appeal.

8. The Interim Application is disposed of in the aforesaid terms.

(N.R. BORKAR, J.)