

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

**INTERIM APPLICATION NO.2488 OF 2025
IN
CRIMINAL APPEAL NO.709 OF 2025**

1. Sanjay Chandrakant Patankar, &
2. Datta Nivrutti KhotApplicants
Versus
The State of Maharashtra Respondent

Mr. Amol B. Patil, Advocate for the Applicants.
Mr. S.H. Yadav, APP for the Respondent-State.

CORAM : SARANG V. KOTWAL, J.

DATE : 21st JULY, 2025

P.C. :

1. Leave to amend to add Sambhaji Appa Kolekar as a party Respondent is granted. Amendment to be carried out forthwith.

2. This is an Application for bail and for suspension of sentence pending the Applicants' Appeal before this Court.

3. Heard Mr. Amol Patil, learned counsel for the Applicants and Mr. S.H. Yadav, learned APP for the Respondent-State.

4. The incident is dated 19.2.2015. It was a subject matter of C.R. No.36/2015 registered with Govandi police station, Mumbai. The Applicant No.1 was driving a car. He was under the influence of liquor. The Applicant No.2 was a co-passenger. The car hit the footpath in front of a bar. When the police tried to signal the Applicant No.1 to stop the car, he ignored the signal and drove away. In the process, the car struck two auto-rickshaws before stopping in front of bus depot. Then the Applicant No.1 ran away leaving the Applicant No.2 in the car. The Applicant No.1 then returned and aggressively confronted the police, hurled abuses and also assaulted the complainant. The investigation was carried out and both the Applicants faced the trial. At the end of the trial, the Applicant No.1 was convicted for commission of the offence punishable under Sections 279, 353, 504, 336 506(I) read with Section 34 and under Sections 184 and 185 of the Motor Vehicles Act. The Applicant No.2 was convicted for commission of the offence punishable under Sections 353, 504, 336, 506(I) read with

34 of IPC and under Section 185 of the Motor Vehicles Act. The major sentence imposed on them was RI for one year besides imposition of fine and substantive sentences.

5. Learned counsel for the Applicants submitted that the Applicants were on bail during the trial and even after conviction they were granted bail till the period of filing the Appeal is over. He submitted that the Applicants have a good case on merits. Learned counsel, therefore, prayed for grant of bail.

6. Learned APP opposed these submissions. According to him, the offence is serious. The Applicant No.1 had assaulted the police officers and had damaged two auto-rickshaws besides endangering lives of the pedestrians.

7. I have considered these submissions. Though the allegations are serious, the major sentence imposed on them is only one year. The Appeal is not likely to be decided within that time. They were on bail during the trial. There are no antecedents against them. Even after conviction, they

were granted bail. Therefore, I am inclined to grant bail to them during pendency of their Appeal mainly because the Appeal is not likely to be decided within one year.

8. Hence, the following order:

ORDER

- (i) During pendency and final disposal of the Criminal Appeal No.709/2025, the Applicants are directed to be released on bail on their executing P.R. bonds in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.
- (ii) Interim Application is disposed of accordingly.

(SARANG V. KOTWAL, J.)