

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

**INTERIM APPLICATION NO. 2830 OF 2025
IN
CRIMINAL APPEAL NO. 785 OF 2025**

Bhausahab Jayram Shinde	..Applicant
Versus	
The State of Maharashtra	..Respondent

Mr. Shantanu Kolhe for Applicant.
Mr. Shreekant H. Yadav, APP for State/Respondent.

**CORAM : SARANG V. KOTWAL, J.
DATE : 30 JULY 2025**

PC :

1. This is an application for bail pending final disposal of the appeal. The Applicant was the original accused in Sessions Case No.5 of 2022 before the Additional Sessions Judge, Baramati. The learned Judge, vide her Judgment and order dated 30.06.2025 convicted the applicant for commission of the offence punishable U/s.353 of the I.P.C. and sentenced him to suffer R.I. for two years and to pay a fine of Rs.5000/- and in default to suffer R.I. for one month. He was also convicted for commission of the offence punishable U/s.506(2) of the I.P.C. and was sentenced to suffer R.I. for two years and to pay a fine of Rs.5000/- and in

default to suffer R.I. for one month. The substantive sentences were directed to run concurrently. During the investigation and trial, he was in custody for one day i.e. on 17.06.2019.

2. The prosecution case is that the informant PW-1 Shital Mergal was a Forest Guard at Kurkumbh, Taluka Daund, Dist. Pune. On 22.05.2019, at around 6:30p.m. she was on patrolling duty in the forest area of Gat No.444/1/2 and Gat No.445. That time, she noticed six tractors and one JCB involved in digging and transporting *murum* from that place. She rushed to that spot. The tractor drivers ran away. The Appellant was driving the JCB. She stopped the JCB. The Appellant got down from the JCB. He grabbed her by the neck and pushed her. He threatened her and then went away with JCB. The informant knew him as he was a wrestler in that area and was well-known. She lodged the F.I.R. and the trial was conducted.

3. Learned counsel for the Applicant submitted that, there is some discrepancy in the deposition of the informant and in the F.I.R. The Appellant was on bail during trial and even after his

conviction, he was granted bail by the Trial Court for a temporary period.

4. Learned APP submitted that the offence is serious.

5. I have considered these submissions. Since the sentence is only of two years and since the applicant was on bail during trial, he can be granted bail. By a separate order passed today, the Appeal is admitted. It is fixed for final hearing after receipt of record and proceedings with paper-books. Therefore, the applicant can be granted bail pending final disposal of his Appeal.

6. Hence, the following order:

O R D E R

- i) During pendency and final disposal of Criminal Appeal No.785 of 2025, the Applicant is directed to be released on bail on his furnishing P. R. bond in the sum of Rs.25000/- with one or two sureties in the like amount.
- ii) The Application is disposed of.

(SARANG V. KOTWAL, J.)