IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

910 CRIMINAL APPLICATION NO. 4258 OF 2026
IN APEAL/869/2026

LEELABAI CHAGAN BAIRAGI
VERSUS
THE STATE OF MAHARASHTRA
....
Mr. R. S. Deshmukh, Senior Advocate a/w Mr. Hashmi Ubaid S. i/b Mr. R. G. Dodiya, Advocate for Applicant
Mr. G. O. Wattamwar, APP for Respondent - State
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CORAM : ABHAY S. WAGHWASE, J.

DATE : 27 October, 2026

PER COURT :-

1. This is an application for suspension of sentence and grant of bail by virtue of conviction recorded by learned Additional Sessions Judge, Jalgaon District Jalgaon, in Sessions Case No.19 of 2019 dated 18.08.2026, convicting the applicant for the offence under Section 201 read with 34 of I.P.C.

2. Learned senior counsel pointed out that applicant faced trial vide above sessions case and on conclusion of trial, she came to be convicted for offence under Section 201 of I.P.C.

Sentence awarded is of three years. Learned senior counsel submits that fine amount of Rs.5,000/- would be paid. He pointed out that, although the charge under Section 201 of the IPC has been framed, the specific role attributed to the applicant, as well as the nature of evidence against her, has not been discussed in the judgment of the Trial Court. According to him, this constitutes a substantial ground for consideration in the appeal. Learned senior counsel also submitted that out of three years imprisonment, the applicant who is a lady, has already undergone 26 months of incarceration. However, as the appeal is of the year 2026, may not be heard in the near future. He, therefore, seeks suspension of the sentence and grant of bail to the appellant.

3. Learned APP opposed on the ground that on full fledged trial conviction has been recorded.

4. Taking into account the aforesaid facts, the sentence of three years, out of which 26 months have already been undergone, and the fact that the appeal being of the year 2026, as may not be heard in near future, relief as prayed for deserves to be granted. Hence, the following order:-

O R D E R

(i) Criminal Application stands allowed.

(ii) The substantive sentence imposed on the applicant Leelabai Chagan Bairagi by the learned Additional Sessions Judge, Jalgaon, District Jalgaon, in Sessions Case No.19 of 2019 dated 18.08.2026 stands suspended till final hearing and disposal of Criminal Appeal No.869 of 2026.

(iii) The applicant be released on P.R. Bond of Rs.15,000/- (Rupees Fifteen thousand only) with two solvent sureties in the like amount.

(iv) The applicant shall not commit any criminal activity.

(v) The applicant shall remain present before the learned trial Judge once in six months, till final hearing and disposal of the appeal, commencing from the date she tenders bail papers and thereafter, the trial Judge to fix dates for her subsequent appearances.

(vi) In case of two consecutive defaults on the part of the applicant to remain present before the trial Court, the trial Court to inform this Court about the same and in that eventuality, the prosecution would be at liberty to file an application for cancellation of the bail granted to the applicant.

(vii) Bail before the trial Court.

[ABHAY S. WAGHWASE, J.]

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