IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 4633 OF 2026
IN
CRIMINAL APPEAL NO. 922 OF 2026

1. SHAIKH SHAKER SHAIKH YASIN
2. SHAIKH JAKER SHAIKH YASIN

VERSUS

THE STATE OF MAHARASHTRA

....

Mr. Vijay S. Wakale, Advocate for Applicants
Mr. G. O. Wattamwar, APP for Respondent – State

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 30 October, 2026

PER COURT :-

1. Not on board. Upon mentioning, taken on board.

2. This is an application for suspension of sentence and grant of bail as a result of judgment and order of conviction dated 30.09.2026, passed by learned Adhoc Additional Sessions Judge-4, Aurangabad in Sessions Case No.414 of 2022, for offence under Section 353, 332, 504 and 506 of I.P.C.

2. Learned counsel for applicants pointed out that applicants are convicted for above charges and sentence awarded

by trial Court is maximum three months. That, appeal has been preferred against the said judgment and appeal is of 2026, as it may not be heard in near future, he prays for relief of suspension of substantive sentence and grant of bail. He also submitted that applicants were on bail during trial and moreover, fine amount is paid.

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

4. Considering the above submissions and taking into account the short term sentence of three months, relief as prayed deserves to be granted. Hence, following order:-

ORDER

(i) Criminal Application stands allowed.

(ii) The substantive sentence imposed on the applicants i.e. (1)Shaikh Shaker Shaikh Yasin and (2) Shaikh Jaker Shaikh Yasin, by the learned Adhoc Additional Sessions Judge, Aurangabad, in Sessions Case No.414 of 2022 dated 30.09.2026 stands suspended till final hearing and disposal of Criminal Appeal No.922 of 2026.

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

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

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

(vi) In case of two consecutive defaults on the part of the applicants 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 applicants.

(vii) Bail before the trial Court.

[ABHAY S. WAGHWASE, J.]

SMS