



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 35 OF 2026

IN

CRIMINAL APPEAL NO. 2 OF 2026

Shahuraj s/o Mahadev Bhimale

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Gastgar Santosh B., Advocate for the Appellant.

Mr. V. K. Kotecha, APP for Respondent – State.

CORAM : RAJNISH R. VYAS, J.

DATE : JANUARY 07, 2026

PER COURT :

1. This is an application for grant of bail and suspension of sentence. The applicant is convicted for commission of offence under Section 7 read with Section 12 of the Prevention of Corruption Act and was sentenced to suffer rigorous imprisonment and to pay fine of ₹2500/-, in default to undergo two months simple imprisonment. The appellant was also convicted for commission of offence under Section 13(1)(d) of the Prevention of Corruption Act and directed to suffer rigorous imprisonment for three years and pay fine of ₹ 2500/-.

2. The learned counsel for the applicant submits that the applicant has already deposited the fine amount of ₹ 5,000/- and has

brought to my attention the receipt showing deposit of find amount. He further submits that, after his conviction, he has surrendered to the custody of the Trial Court and had preferred an application for suspension of sentence, which was allowed by order dated 03rd December 2025. According to the learned counsel for the applicant, all throughout the trial he was on bail and he did not misuse his liberty. He further submits that he has cooperated in early disposal of the case.

3. Per contra, learned APP submits that the learned Trial Court has rightly convicted the applicant and opposed the application.

4. The learned counsel for the applicant has invited my attention to the order passed by this Court on 19th December 2025, by which the sentence imposed upon original accused No.1 was suspended. Considering the fact that the sentence imposed upon the applicant is of fixed term and during the course of trial, he was on bail, I am inclined to pass the following order.

ORDER

A) The application for suspension of sentence is allowed. The applicant's sentence be suspended and

the applicant be released on bail on the same terms and conditions imposed by the learned Trial Court.

B) The applicant is directed to remain present at the time of final hearing of the appeal.

5. The application is disposed of accordingly.

(RAJNISH R. VYAS, J.)