



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CRIMINAL APPLICATION NO. 37 OF 2026
IN APEAL/4/2026

RAJENDRA BHIMRAO ASWAR AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Applicants : Mr. Dagadkhair Dinkar Karbhari

APP for Respondent : Mr. V.K. Kotecha

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CORAM : RAJNISH R. VYAS, J.

Dated : 06.01.2026

PER COURT :-

1. This is an application for grant of bail and suspension of sentence filed by original accused nos. 8, 11 and 15.

2. It is the case of the applicants that they along with the other accused were convicted convicted for commission of offence punishable under Sections 142, 148, 332, 353 read with 149 of IPC. The applicants are directed to suffer imprisonment of one month each and pay fine of Rs. 500/- each for commission of offence punishable under Section 143 and commission of offence under Section 148 of IPC, the applicants along with others were directed suffer imprisonment for six months each and pay fine of Rs. 1,000/-, each. For commission of offence punishable under Section 332 and 149 of IPC, they were directed to suffer imprisonment for one year each and pay fine of Rs. 2,000/-, each and for commission of offence punishable under Section 353 read with 149 of IPC, they were directed to suffer imprisonment for one year each and pay fine of Rs. 2000/- each.

3. Learned counsel for applicants further submits that so far as fine amount is concerned, the entire amount is deposited. After pronouncement of judgment of conviction, they have surrendered to the custody of the Court and had also preferred an application for suspension of sentence which was allowed by the learned trial Court. He submits that nature of evidence would clearly reveal that the charge against them is not made out. According to them, considering the fact that the sentence imposed is of fixed term, they be released on bail. According to the learned counsel for the applicant all throughout trial they were on bail and they did not misuse their liberty.

4. Considering the fact that sentence imposed upon the applicant is of fixed term i.e. one year and they did not misuse their liberty, so also the nature of evidence which is available against them, I find it fit to allow the present application on following terms and conditions :

ORDER

- i. The sentence imposed upon applicants i.e. original accused nos. 8, 11 and 15 by Additional Sessions Judge, Aurangabad, in Sessions Case No. 9/2015, dated 05.12.2025, stands suspended till final decision on appeal.
- ii. The applicants are released on bail on the terms and conditions which were imposed by trial Court while granting them bail.
- iii. The applicants are directed to remain present before the Court at the time of final hearing.

(RAJNISH R. VYAS, J.)