



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 67 OF 2026
IN
CRIMINAL REVISION APPLICATION NO. 04 OF 2026

Shairum Saheb Baig,
Age : 60 years, Occu. : Nil.,
R/o. Mohammadiya Masjid Road,
Islampura, Beed.

... Applicant

Versus

State of Maharashtra
Through Patoda Police Station,
Tq. & Dist. Beed.

... Respondent.

.....

Mr. Sayyed Tauseef Yaseen, Advocate for Applicant.
Mr. S. G. Sangle, APP for Respondent - State.

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CORAM : ABHAY S. WAGHWASE, J.
DATED : 08 JANUARY 2026

ORDER :

1. In instant application, prayers are raised for suspension of sentence and grant of bail on account of conviction recorded by learned J.M.F.C. Patoda, Dist. Beed on 05.10.2017 in S.C.C. No.13 of 2009, which came to be confirmed by learned Additional Sessions Judge, Beed in Criminal Appeal No.105 of 2017.

2. It is submitted that, applicant was tried by learned J.M.F.C., Patoda, Dist. Beed vide S.C.C. No.13 of 2009, on the premise that, on 13.12.2008 dash was given to the informant's son, to which

he later on succumbed. That, charges were framed for offence punishable under sections 279, 337, 338 and 304A of Indian Penal Code and trial culminated into conviction by order dated 05.10.2017. The said order of conviction is questioned by filing of Criminal Appeal bearing No. 105 of 2017, but the first appellate court was pleased to confirm the same.

3. It is next submitted that, revision has been preferred against both the orders. However, much more time would be required to hear the revision. Moreover, during trial before the learned J.M.F.C. as well as first appellate court, applicant was on bail. That, sentence awarded is only short term sentence. That, appellant has a good case on merits in revision, and so during its pendency, it is prayed that, sentence awarded be suspended and the appellant be granted bail.

4. Learned APP opposes the above application on the ground that on full-fledge trial, guilt has been recorded and therefore he prays to reject the application.

5. Considering the above submissions, nature of allegations and as there are no immediate prospects of hearing the revision, which is of 2026 and more particularly, applicant was on bail during trial, relief as prayed deserves to be granted. Hence, I proceed to pass the following order :-

ORDER

- I. Criminal Application stands allowed.
- II. The substantive sentence imposed on the applicant Shairum Saheb Baig in S.C.C. No.13 of 2009 by the learned J.M.F.C., Patoda, on 05.10.2014⁷, which is confirmed by learned Additional Sessions Judge, Beed by order dated 26.12.2025 in Criminal Appeal No.105 of 2017, stands suspended till the final hearing and disposal of Criminal Revision Application No.04 of 2026.
- III. The applicant be released on P.R. Bond of Rs.15,000/- (Rupees Fifteen Thousand Only) with one solvent surety 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 he tenders bail papers and thereafter, the trial Judge to fix dates for his 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 bail granted to the applicant.
- VII. Bail before the trial court.

(ABHAY S. WAGHWASE, J.)