



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**906 CRIMINAL APPLICATION NO. 245 OF 2026
IN APEAL/30/2026**

BHAGWAN MALJI PATIL AND ANOTHER

....Applicants

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

.....Respondent

WITH

CRIMINAL APPEAL NO. 30 OF 2026

Mr. Kazi Rahil Riyazoddin, Advocate for the applicants
Mr. V. K. Kotecha, APP for the respondents/State

CORAM : RAJNISH R. VYAS, J.

DATE : 28th JANUARY, 2026

PER COURT :

1. This is an application for grant of bail and suspension of sentence. The applicants/ original accused Nos. 2 and 3 were tried by the court of Sessions Judge, Dhule in Atrocities Special Case No. 37/2017 vide order dated 13-11-2025 and were convicted for commission of offences punishable under Sections 323 read with section 34 of the Indian Penal Code [for short 'the IPC'] and sentenced to suffer rigorous imprisonment for one year and to pay fine of Rs.1000/-. Default sentence is also imposed.

2. The applicants/ original accused Nos. 2 and 3 were acquitted for commission of offences punishable under Sections 3(1)

(p)(q)(r)(s)(u)(z) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act and Sections 504 & 506 read with Section 34 of the IPC.

3. By preferring the appeal the said judgment of conviction is assailed before this court.

4. Learned advocate for the applicants submitted that they were on bail and did not misuse the liberty. After pronouncement of judgment of conviction they have surrendered to the custody of the court. The sentence imposed upon them is of fixed term. In the aforesaid background, learned advocate for the applicants submitted that they be released on bail.

5. Per contra, learned APP submitted that the judgment delivered by the trial court is just and proper and on the basis of proper appreciation of evidence.

6. Be that as it may, I have gone through the R & P of the case. Sentence imposed upon them is of fixed term. Before passing any order on this application, it is necessary to hear the victim and therefore, notice be issued to the victim on the application as well as on the appeal, returnable on 04-02-2026.

7. Concerned Police Station is directed to serve the victim by the next date.

8. Considering the fact that the sentences imposed by the trial court is of fixed term, the sentences imposed upon the applicants, shall stand suspended and they be released on bail on same terms and condition as were imposed by the trial court till next date.

[RAJNISH R. VYAS, J.]

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