



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1743 OF 2026
IN APEAL/319/2026

SURESH RAGHOBAL MALI
VERSUS
THE STATE OF MAHARASHTRA

.....
Advocate for Applicant : Mr. Joydeep Chatterji
APP for Respondent - State : Mr. N. S. Tekale
.....

CORAM : ABHAY S. WAGHWASE, J.

DATED : 05 MAY 2026

PER COURT :

1. This is an application for suspension of sentence and grant of bail in consequence to the judgment and order of conviction dated 01.04.2026 passed by learned Additional Sessions Judge-1 and Special Judge, Latur in Special Case (ACB) No.13 of 2014.

2. It is submitted that, present applicant is accused no.2 in above special case. That, he came to be convicted along with with accused no.1 i.e. his superior, for offence punishable under section 12 of the Prevention of Corruption Act, 1988. It is further submitted that, main accused no.1, who had made the demand, has already been granted benefit of suspension of sentence and grant of bail by this Court. That, fine amount is already paid. That, appeal is of 2026 and as there are no

chances of hearing the appeal in near future, relief of suspension of sentence and grant of bail is urged for.

3. Learned APP opposed on the ground that, applicant has accepted the currency and he is apprehended with tainted currency. That, on full-fledged trial and on complete appreciation of evidence, guilt has been recorded. For such reasons, relief of suspension of sentence and grant of bail is sought to be rejected.

4. After considering the above submissions and on going through the papers, it appears that, applicant was tried as accused no.2 in above special case, which came to be decided on 01.04.2026. Admittedly, the appellant has preferred Criminal Appeal No. 319 of 2026 against the said order of conviction, which is pending. Learned counsel for applicant has placed on record a copy of the order of suspension of sentence and grant of bail of main accused no.1 Balaji Vitthalrao Kale in Criminal Application No.1640 of 2026 in Criminal Appeal No.305 of 2026, who is applicant's immediate superior and to whom the demand was attributed. By order dated 30.04.2026, similar relief has been granted to main accused also. Taking the same into account and as appeal is of 2026 coupled with aspect of sentence of two years, and there being no chances of hearing the appeal, relief as prayed deserves to be granted. Hence, the

following order is passed :

ORDER

- I. Criminal Application stands allowed.
- II. The substantive sentence imposed on the applicant Suresh Raghoba Mali in Special Case (ACB) No.13 of 2014 by learned Special Court, Latur on 01.04.2026 stands suspended till the final hearing and disposal of Criminal Appeal No.319 of 2026.
- III. The applicant be released on P.R. Bond of Rs.15,000/- (Rupees Fifteen Thousand Only) with two solvent sureties 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 they tender 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 applicants.
- VII. Bail before the trial court.

(ABHAY S. WAGHWASE, J.)