



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

**CRIMINAL APPLICATION NO. 1972 OF 2026
IN APEAL/409/2026**

**AMOL ALIAS BALU UTTRESHWAR BARGAL
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

.....
Mr. Sunil P. Koli, Advocate for Applicant
Ms. V. P. Dama, APP for Respondents-State
.....

**CORAM : S. G. CHAPALGAONKAR, J.
[VACATION COURT]**

DATE : 29 MAY, 2026

PER COURT :

1. Heard learned Advocate appearing for Applicant and learned APP appearing for Respondent/State.
2. Issue notice to Respondents. Learned APP waives service of notice for Respondents– State.
3. The present application is filed for suspension of sentence and grant of bail on account of the conviction recorded by the learned Special Judge, Kallam dated 04.05.2026 in Special Case No. 161/2023. The Applicant has been convicted for offences punishable under Sections 354, 354(A), 342, and 323 of the Indian Penal Code, as well as offences under Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012, and sentenced to undergo rigorous imprisonment for a period of three years. The substantive sentence imposed upon the Applicant has been suspended by the Trial Court. The appeal filed by the Applicant has been admitted by this Court. The Applicant has shown compliance with the fine amount. The record indicates that the Applicant was on bail during the course of trial and

has not misused the liberty. Even after conviction, the learned Sessions Court granted him bail till the appeal period.

4. Looking to the reasoning adopted by the learned Special Judge in the impugned order, and considering the fact that the appeal is not likely to be heard in the near future, as well as the short sentence imposed on the Applicant, a case is made out to release him on bail pending appeal. In result, the following order is passed :

ORDER

(I) The Criminal Application is allowed.

(II) The substantive sentence imposed on the Applicant vide judgment and order dated 04.05.2026 passed by the learned Special Judge, Kallam, in Special Case No.161/2023, whereby he has been convicted for offences punishable under Sections 354, 354(A), 342, and 323 of the Indian Penal Code, as well as offences under Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012, and sentenced to undergo rigorous imprisonment for a period of three years, is suspended till the conclusion of the appeal.

(III) The Applicant be released on bail on executing PB. and S.B. of Rs.30,000/- (Rupees Thirty Thousand Only) with one solvent surety in like amount.

(IV) Bail before the trial Court.

[S. G. CHAPALGAONKAR]
JUDGE