



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

**911 CRIMINAL APPLICATION NO. 2173 OF 2026
IN APEAL/453/2026**

1) Balaji Tatyaba @ Tatyaram Bikkad
2) Mangal w/o Balaji Bikkad
3) Shushama D/o Balaji Bikkad
VERSUS
THE STATE OF MAHARASHTRA

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Mr. Rahul P. Cheble h/f Mr. U. B. Nirgule, Advocate for Applicants
Mr. P. M. Kulkarni, APP for Respondent – State

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CORAM : ABHAY S. WAGHWASE, J.

DATE : June 10, 2026

PER COURT :-

1. This is an application for suspension of substantive sentence and grant of bail in consequence to the judgment and order of conviction passed by the learned Additional Sessions Judge, Kallam, District Osmanabad in Sessions Case No.85 of 2023 (Old S.C. No.153 of 2021), convicting the applicants for offence under Section 324 and 324 read with 34 of I.P.C, sentencing to suffer imprisonment three years and one year, respectively.

2. Learned counsel for the applicants submits that applicants were tried vide above sessions case and they were held guilty. However, in spite of there being charge under Section 307, they were acquitted from the said charge and conviction. He further submitted that the applicants were on bail during trial. Against the judgment and order of conviction, the appeal has been preferred. The appeal is of 2026 and therefore there are no immediate chances of hearing the appeal and for such grounds he prays for suspension of sentence and grant of bail.

3. Learned APP strongly opposed on the ground that serious offence has been made causing grievous hurt and it is proved to be committed.

4. After hearing the above submissions and on going through the record, it appears that the applicants were tried for the offence under Sections 307, 324 and 326 of I.P.C. Maximum sentence awarded is of three years. Appeal is of 2026. There being no prospects of hearing the appeal immediately in near future, relief as prayed deserves to be granted. Hence, the following order:-

ORDER

- (i) Criminal Application stands allowed.
- (ii) The substantive sentence imposed on the applicants i.e. 1) Balaji Tatyaba @ Tatyaram Bikkad 2) Mangal w/o Balaji Bikkad and 3) Shushama D/o Balaji Bikkad by the learned Additional Sessions Judge, Kallam, District Osmanabad in Sessions Case No.85 of 2023 (Old S.C. No.153 of 2021) dated 11.05.2026 stands suspended till final hearing and disposal of Criminal Appeal No.453 of 2026.
- (iii) The applicants be released on P.R. Bond of Rs.15,000/- (Rupees Fifteen thousand only) each with two solvent sureties each in the like amount.
- (iv) The applicants shall not commit any criminal activity.
- (v) The applicants 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 tenders bail papers and thereafter, the trial Judge to fix dates for their subsequent appearances.
- (vi) In case of two consecutive defaults on the part of the applicants 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 the bail granted to the applicants.

(vii) Bail before the trial Court.

[ABHAY S. WAGHWASE, J.]

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