

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL NO. 900 OF 2017
ALONGWITH
INTERIM APPLICATION NO. 1466 OF 2024
ALONGWITH
INTERIM APPLICATION NO. 1307 OF 2026**

Somnath Janardan Bhosale ...Appellant
Vs.
The State of Maharashtra ...Respondent

**ALONGWITH
CRIMINAL APPEAL NO. 894 OF 2017**

Avinash Mahadeo Ghodake ...Appellant
Vs.
The State of Maharashtra ...Respondent

**ALONGWITH
CRIMINAL APPEAL NO. 895 OF 2017**

Nilesh Arjun Tawre ...Appellant
Vs.
The State of Maharashtra ...Respondent

**ALONGWITH
CRIMINAL APPEAL NO. 897 OF 2017**

Dilip Laxman Kamble ...Appellant
Vs.
The State of Maharashtra ...Respondent

Mr. Sachin Pawar a/w. Shailesh Chavan a/w. S.P.Sahane for the Applicant.

Mr. S.V.Gavand, APP for the State.

**CORAM : M.S. KARNIK &
S.M. MODAK, JJ.**

DATE : 6th May 2026.

P.C. :

1. Heard learned counsel for the petitioner.
2. There are in all 5 accused. The present application is filed by Somnath Bhosale - the original accused No.3 for suspension of sentence. The allegation is that these four accused assaulted the deceased. The applicant is named as an assailant. There is an eye witness to the incident. The applicant allegedly assaulted the deceased with scythe. The accused No.1-Dipak, Accused No.4 - Nilesh and accused No.2 - Avinash have been enlarged on bail upon suspension of the sentence. Accused No.5 – Sharad has been acquitted. The eye witness to the incident is wife of the deceased. There was some dispute in respect of accounts maintained in respect of Ughada Maruti Mitra Mandal where the accused and deceased were visiting regularly. On account of this dispute, it is alleged that accused have assaulted deceased.
3. Learned APP opposed the application. It is submitted that appeal be heard finally. However, it is not possible for us to hear the

appeal finally due to pendency of situation of old appeals where accused are in custody which have to be given priority. The other accused who have some what similar role have been released on bail. The applicant has undergone actual imprisonment of 11 years, 8 months and 4 days. In such view of the matter, we are inclined to suspend the sentence and enlarge the applicant on bail on the same terms and conditions.

4. Hence, the following order:

(i) The substantive sentence imposed in Sessions Case No.397/2013 by the Addl. Sessions Judge, Pune on 13th September 2017 is suspended during pendency of the Appeal and the applicant is enlarged on bail subject to following conditions:-

(a) The applicants-accused No.3 –Somnath Bhosale be enlarged on bail in Sessions Case No.397/2013 arising out of C.R. No.359/2012 registered with Sahkarnagar Police Station on his furnishing P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.

(b) After his release from jail and during the pendency of the present Appeal, the applicant shall attend Sahkarnagar Police Station once in 3 months on first Monday of the concerned month commencing from June 2026

- (c) The applicant shall furnish all his contact details and residential address before being enlarged on bail.
- (d) The accused and informant are from the same locality and hence it is necessary to impose a condition that applicant shall not enter the jurisdiction of Sahhkarnagar Police Station, Dhankawadi Police Station, Bibwewadi Police and Parvati Police Station during the pendency of the appeal. The applicant shall remain present when the appeal is listed for final hearing.

5. The interim application No. 1466/2024 is allowed in the aforesaid terms and is disposed of.

(S.M.MODAK,J.)

(M.S.KARNIK, J.)