

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO.3309 OF 2025****IN****APPEAL NO.920 OF 2025**

Akshay @ Prakash Bhausahab Ovhal

...Appellant/Accused No.2

V/s.

The State of Maharashtra

... Respondent

Mr. Aniket Vagal a/w Ms. Savvy Kolhekar and Ms. Juhi Kadu for the Appellant.

Smt. Madhavi H. Mhatre, Acting PP, a/w Mr. Vinod Chate, APP, for the Respondent-State.

Ms. Ekta Patil i/by Mr. Shailesh Chavan for the original complainant.

**CORAM : A. S. GADKARI AND
KAMAL KHATA, JJ.**

DATE : 1st April, 2026.

P.C.:-

1) Appellant (Original accused No.2) is convicted under Section 302, 143 and 149 of the Indian Penal Code and is sentenced to suffer imprisonment for life by the learned Additional Sessions Judge, Vadgaon Maval, District Pune by its Judgment and Order dated 26th June, 2025 in Sessions Case No.152 of 2022.

2) The date of arrest of Appellant is 7th March, 2016. Since the

date of his arrest, the Appellant is behind bars. The Nominal Role of the Applicant produced by the learned APP indicates that, as of today, the Applicant has undergone more than 10 years, one month and 20 days of actual imprisonment. It is thus clear that, the Applicant is in incarceration at pre-trial stage and post conviction for more than 10 years.

3) In view of the observations made by the Hon'ble Supreme Court in the case of *Saudan Singh Vs. State of Uttar Pradesh*, reported in 2022 SCC OnLine SC 697 and *Suleman Vs. The State of Uttar Pradesh*, in *Miscellaneous Application No. 764 of 2022*, dated 15th September 2022, as the Applicant has already undergone about 10 years of actual imprisonment and there is no chance of hearing his substantive Appeal in the near future, the substantive sentence imposed upon the Applicant can be suspended and he can be released on bail.

4) Hence, the following Order :-

i) During the pendency of Appeal, preferred by the Applicant, the substantive sentence imposed upon the Applicant vide Judgment and Order dated 26th June, 2025, passed by the learned Additional Sessions Judge, Vadgaon Maval, District Pune, in Sessions Case No. 152 of 2022, is suspended and the Applicant be released on bail on his furnishing PR bond of Rs. 50,000/- with one or two local sureties in the like amount.

ii) After his release from jail, the Applicant shall attend the Dehu Road Police Station, Pune, on every first Monday of each month between

11.00 a.m. and 1.00 p.m. initially for a period of one year and thereafter on every first Monday between 11.00 a.m. and 1.00 p.m. of every third calendar month i.e. four times in a year till the disposal of Appeal.

iii) Any two consecutive defaults in complying with the above condition will attract the provisions of cancellation of Bail.

5) Application is allowed in the aforesaid terms.

(KAMAL KHATA, J.)

(A.S. GADKARI, J.)