

CNR No. MHAU010051672025

CRIMINAL APPEAL No. 106/2025

Govind Yashwant Bobade & Ors. Vs. State

ORDER BELOW EXH. 4

1. By this application, the appellant /accused Nos. 1 to 4 have prayed for suspension of order of conviction and sentence passed by Id. J.M.F.C. Court No. 5, Aurangabad, in RCC No. 156/2022 dated 07.05.2025.

2. Perused the application. Heard Learned Adv. Shri. R.S. Jangam for the appellants at length. Vide Judgment and Order dated 07.05.2025 passed in Regular Criminal Case No. 156/2022 the appellants are convicted and sentenced to suffer simple imprisonment for one year each for the offence punishable u/s. 326 of I.P.C. and to pay fine of Rs. 3,000/- each, in default, to suffer simple imprisonment of fifteen days. Appeal is the substantive right of the accused persons. The hearing of this appeal will take some time. Till then, no purpose would be served in keeping the accused persons in jail. Moreover, the appellants were on bail in the trial court. Appellants have already deposited total fine amount of Rs. 12000/- in the Id. Trial Court. Under such circumstances, in my opinion, the substantive sentence needs to be stayed and accused persons needs to be granted bail. Hence the following order.

ORDER

1. Application Exh. 4 is allowed

2. Substantive sentence passed against the appellants / accused Nos. 1 to 4 in Regular Criminal Case No. 156/2022 vide judgment & order dated 07.05.2025 is hereby stayed till disposal of this appeal on the following conditions :
 - i) The appellants / accused Nos. 1 to 4 shall be released on bail on their executing P.R. bond & S.B. of Rs. 25,000/- each.
3. Inform concerned ld. Judicial Magistrate First Class, Court No. 5, Aurangabad accordingly.

(Dictated and pronounced in open Court)

Date : 24.06.2025

(N. S. Momin)
Additional Sessions Judge,
Court No. 7, Aurangabad

Certificate

I am affirm that the contents of this P.D.F file order are same, word to word, as per the original order.

Name of the Stenographer	Sachin K. Tripure
Court	District Judge – 7 and Additional Sessions Judge and M.A.C.T. Aurangabad
Date of decision	24.06.2025
Judgment / order signed by the Presiding Officer	24.06.2025
Judgment / order uploaded on	24.06.2025