

: ORDER BELOW EXH.4 IN CRIMINAL APPEAL NO.7/2022 :

1) The appellant/accused has preferred this appeal against Judgment of conviction in Regular Criminal Case No. 31/2016 dated 04.05.2019, passed by Ld. J.M.F.C. Shriwardhan and this application at Exh.4, is filed for suspension of execution of sentence till decision of the present appeal and for releasing him on bail, during the pendency of the appeal.

2) Heard, Ld. Advocate Shri. P. G. Musale for the appellant/accused. Perused the judgment of Ld. Trial Court.

3) As argued on behalf of the Ld. Advocate for the appellant/accused that Ld. Trial Court has failed to appreciate the evidence on record and wrongly held accused guilty. He has good chances to succeed in this appeal. He has already paid fine amount. Hence, prayed to suspend execution of sentence till decision of appeal and to release him on bail during pendency of appeal.

4) The appellant has challenged the Judgment passed by the Ld. Trial Court in Regular Criminal Case No.31/2016 dated 04.05.2019. Considerable time will be required to dispose of the appeal. Considering the arguments advanced, I find that the appellant has made out the case for suspension of execution of substantive sentence and to release him on bail, during pendency of the appeal. With this, proceed to pass the following order

: O R D E R :

1) The application at Exh.4 is hereby allowed.

- 2) The execution of substantive sentence passed in the Judgment dated 04.05.2019 in Regular Criminal Case No. 31/2016, by Ld. J.M.F.C. Shriwardhan, is hereby suspended till decision of this appeal.
- 3) The appellant/accused is hereby released on bail, on furnishing P.R. Bond of Rs.15,000/- with solvent surety of like amount, during the pendency of appeal.
- 4) Inform Learned Trial Court accordingly.

(Dictated and pronounced in open Court)

Mangaon.
Date : 03.02.2022.

(Priya P. Bankar)
Additional Sessions Judge,
Mangaon-Raigad