



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

**CRIMINAL APPLICATION NO. 1999 OF 2026**  
**IN APEAL/416/2026**

RAHUL ALIAS BALU SUBHASH RATHOD  
*VERSUS*

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. Avhad Abhay Balasaheb  
APP for Respondents-State : Mr. P. M. Kulkarni

...

**WITH**  
**CRIMINAL APPEAL NO. 416 OF 2026**

RAHUL ALIAS BALU SUBHASH RATHOD  
*VERSUS*

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Appellant : Mr. Avhad Abhay Balasaheb  
APP for Respondents-State : Mr. P. M. Kulkarni

....

**CORAM : AJIT B. KADETHANKAR, J.**  
**(Vacation Court)**

**Date : 5<sup>th</sup> June, 2026**

**PER COURT :-**

**CRIMINAL APPEAL NO. 416 OF 2026**

1. Being aggrieved by the judgment and order dated 08.04.2026 passed by the learned Additional Sessions Judge, Omerga in Special (POCSO) Case No. 8 of 2016, the appellant / accused has filed the present appeal. The appeal is filed within limitation.

2. Issue notice to respondents, returnable on 03.07.2026.
3. The learned APP waives service of notice on behalf of respondents-State.
4. Call papers.

**CRIMINAL APPLICATION NO. 1999 OF 2026**

1. Mr. Avhad, the learned counsel for applicant submits that the sentence imposed upon the applicant may be suspended during the pendency and till the final disposal of the criminal appeal.
2. Issue notice to respondents, returnable on 03.07.2026.
3. The learned APP waives service of notice on behalf of respondents-State.
4. It is submitted that at the relevant time of recording the crime, the applicant was hardly 19 years of age. Further, the applicant has deposited the fine imposed by the learned Trial

Court. The applicant was on bail during the course of trial. In the circumstances, I am of the opinion that at least till returnable date, the interim protection needs to be granted in favour of the applicant.

5. Till the returnable date, the substantive sentence imposed upon the applicant by the learned Additional Sessions Judge, Omerga in Special (POCSO) Case No. 8 of 2016 is hereby suspended. Applicant be enlarged on bail on furnishing PR Bond of Rs. 25,000/- (Rs. Twenty Five Thousands Only) and one solvent surety in the like amount before the Trial Court.

**(AJIT B. KADETHANKAR, J.)**

*Omkar Joshi*