

**(2021) 06 GUJ CK 0009**

**In the Gujarat High Court**

**Case No : R/Criminal Misc.Application No. 9134 Of 2021**

Hamir Balubhai Modhvadiya

APPELLANT

Vs

State Of Gujarat

RESPONDENT

**Date of Decision : 02-06-2021**

**Acts Referred:**

Indian Penal Code, 1860 — Section 34, 143, 147, 148, 149, 302

**Citation : (2021) 06 GUJ CK 0009**

**Hon'ble Judges : B.N. Karia, J**

**Bench : Single Bench**

**Advocate : Dharmesh Devnani**

**Final Decision : Dismissed**

## Judgement

B.N. Karia, J

RULE returnable forthwith. Learned Additional Public Prosecutor waives service of Rule on behalf of the respondent "State of Gujarat.

The present application has been filed by the applicant through jail to release him on temporary bail for a period of 30 days on the ground of providing

financial aid to his family.

I have heard learned Additional Public Prosecutor for the respondent State and considered the averments made in this application as well as jail

remarks.

Learned APP for the respondent State has strongly objected the averments made by applicant in his application and submitted that present applicant

was involved in another offence registered as CR No. IÂ20/2018 with Ranavav Police Station for the offence punishable under Sections 302, 34, 143,

147, 148, 149 etc of the Indian Penal Code. That, the applicant is habitual

offender and therefore, no lenient view can be taken in favour of the applicant by granting temporary bail.

In totality of facts as well as from the documentary evidence produced on record, I do not find that the reason being genuine, and therefore, it is not a fit case for granting temporary bail to the applicant.

Hence, present application is rejected. Rule stands discharged.