

(2006) 07 GUJ CK 0073
In the Gujarat High Court

Case No : Criminal Miscellaneous Application No. 6758 of 2006

Ketan Kantilal Sheth

APPELLANT

Vs

State of Gujarat

RESPONDENT

Date of Decision : 07-07-2006

Acts Referred:

Citation : (2006) 07 GUJ CK 0073

Hon'ble Judges : A.L. Dave, J

Bench : Single Bench

Advocate : Abhaykumar P. Shah, for the Appellant; H.M. Prachhak, APP for Respondent 1, for the Respondent

Judgement

A.L. Dave, J.—Heard learned advocate for the applicant and learned Additional Public Prosecutor for the State.

2. The applicant's case for bail by this successive bail application deserves positive consideration on the ground of parity. The applicant claims parity with co-accused Niraj Surti, Sanjay Agrawal and Nandkishore Trivedi. Co-accused Niraj Surti and Sanjay Agrawal have been admitted to bail by this Court, whereas Nandkishore Trivedi has been admitted to bail by the Sessions Court. The applicant is alleged to be the director of the company, whereas Sanjay Agrawal was the Chairman of the company. The role of the applicant with these co-accused persons can broadly be stated to be similar. The applicant's application, therefore, deserves to be accepted on the ground of parity alone.

3. The application is allowed and the applicant is ordered to be released on bail in connection with Crime Register No. I-274 of 2002 of Varachchha Police Station on his executing a bond of Rs. 1,00,000/- (Rupees one lakh only) with two sureties of Rs.50,000/- each to the satisfaction of the lower Court and subject to the conditions that he shall

(a) not take undue advantage of his liberty or abuse his liberty;

- (b) not act in a manner injurious to the interest of the prosecution;
 - (c) maintain law and order;
 - (d) mark his presence before the concerned Police Station on any day between 1st and 10th of every even numbered English calendar month between 9.00 A.M. And 2.00 P.M.;
 - (e) not leave the country without prior permission of this Court;
 - (f) furnish the address of his residence at the time of execution of the bond and shall not change the residence without prior permission of this Court;
 - (g) surrender his passport, if any, to the Lower Court, within a week.
4. If breach of any of the above conditions is committed, the Sessions Judge concerned will be free to issue warrant or to take appropriate action in the matter.
 5. Bail before the Lower Court having jurisdiction to try the case.
 6. Rule is made absolute.
 7. Direct service is permitted.