

(2023) 05 GUJ CK 0032

In the Gujarat High Court

Case No : R/Criminal Misc.Application No. 7899 Of 2023

Mamta Arun Banmali Bhola

APPELLANT

Vs

State Of Gujarat

RESPONDENT

Date of Decision : 08-05-2023

Acts Referred:

Indian Penal Code, 1860 — Section 302

Citation : (2023) 05 GUJ CK 0032

Hon'ble Judges : M. R. Mengdey, J

Bench : Single Bench

Advocate : K T Beladiya, Jirga Zhaveri

Final Decision : Partly Allowed

Judgement

M. R. Mengdey, J

1. RULE. Learned APP waives service of notice Rule on behalf of the respondent-State.
2. This application is by the Applicant-convict seeking temporary bail for a period of 30 days, on the ground to take care of newborn child. The Applicant Accused, who has been convicted for the offence punishable under Section 302 of the Indian Penal Code.
2. Heard learned APP Ms. Jirga Zhaveri for the Respondent – State. Learned APP has opposed the grant of temporary bail application.
3. Learned advocate Mr. Beladiya for the applicant has submitted that the present applicant had delivered the baby in jail.
4. Considering the facts and circumstances of the case as well as the jail remarks, this Court is of the opinion that the present application requires consideration and the same is therefore partly allowed. The applicant – convict - MAMTA ARUN BANMALI BHOLA is ordered to be released on temporary bail for a period of 4 weeks from the date of her actual release on the applicant's

furnishing personal bond of Rs.10,000/- to the satisfaction of the concerned authority, on usual terms and conditions.

5. The applicant-convict shall surrender before the concerned jail authority on expiry of the temporary bail period. Rule is made absolute accordingly. Registry to communicate this order through Fax to the Jail Authority.