

(2011) 01 GUJ CK 0050
In the Gujarat High Court

Case No : Criminal Miscellaneous Application No. 52 of 2011 in Criminal Appeal
No. 1564 of 2009

Niraj Devnarayan

APPELLANT

Vs

State of Gujarat and Another

RESPONDENT

Date of Decision : 10-01-2011

Acts Referred:

Penal Code, 1860 (IPC) — Section 304(B), 306

Citation : (2011) 01 GUJ CK 0050

Hon'ble Judges : Bankim N. Mehta, J;A.M. Kapadia, J

Bench : Division Bench

Advocate : Prary-in-Person, for the Appellant; L.B. Dabhi, Assistant Public
Prosecutor for Respondent 1, for the Respondent

Final Decision : Dismissed

Judgement

A.M. Kapadia, J.

1 Rule. Mr. LB Dabhi, learned Addl. Public Prosecutor waives service of notice of rule on behalf of the Respondent - State of Gujarat.

2. Having regard to the facts of the case, the application is taken up for hearing today.

3. The applicant - convict prisoner, who, by judgment and order dated 4.8.2009 rendered in Sessions Case No. 4 of 2009 by the learned

Additional Sessions Judge, Court No. 4, Ahmedabad, has been convicted for the offence punishable under Sections 304(B) and 306 of the Indian

Penal Code and sentenced to RI for 14 years, has filed this application through jail authority, praying to enlarge him on temporary bail for a period

of 30 days, to enable him to render medical treatment to his father, who is a patient of heart ailment.

4. Having heard Mr. LB Dabhi, learned APP for the Respondent - State of Gujarat and upon perusal of the averments made in the application so

also the jail remark sheet, since the applicant has not produced any supporting documents with regard to ailment of his father, we are not inclined

to grant temporary bail in favour of the applicant. Therefore, the application deserves to be rejected.

5. For foregoing reasons, the application fails and it is accordingly rejected. Rule is discharged.