
(2023) 05 GUJ CK 0105

In the Gujarat High Court

Case No : R/Criminal Misc.Application No. 8638 Of 2023

Nurmahmmad @ Sajid Abdulbhai Sama

APPELLANT

Vs

State Of Gujarat

RESPONDENT

Date of Decision : 25-05-2023

Acts Referred:

Citation : (2023) 05 GUJ CK 0105

Hon'ble Judges : M. K. Thakker, J

Bench : Single Bench

Advocate : Manjula R Chauhan, Maithili Mehta

Final Decision : Allowed

Judgement

M. K. Thakker, J

1. Rule. Learned Additional Public Prosecutor waives service of rule on behalf of respondent – State.

2. By way of the present application, the applicant has prayed to release him on temporary bail for a period of 30 days on the ground that the wife of the applicant namely Hasina gave a birth to a child and their health condition is not good and therefore, the presence of the applicant is necessary.

3. Considering the submissions advanced by the learned advocate for the applicant and the facts stated in the applicant, the present application deserves to be allowed and the same is allowed.

4. Application stands allowed. The under-trial prisoner is ordered to be released on temporary bail for a period of 10 (Ten) days from the date of his actual release, on executing personal bond of Rs.5,000/- (Rupees Five Thousand) before the Jail authority and on usual terms and conditions as may be imposed by the Jail Authority.

5. In addition to above, the applicant shall not enter into Junagadh district during

his temporary release period as the complainant and the victim are residing in the same locality. The applicant shall surrender before Jail Authority on completion of temporary bail, without fail.

6. Rule is made absolute to the aforesaid extent. Direct service is permitted.