

(2006) 06 GUJ CK 0008

In the Gujarat High Court

Case No : Criminal Miscellaneous Application No. 4863 of 2006 in Criminal Miscellaneous Application No. 3335 of 2006 in Criminal Miscellaneous Application No. 397 of 2006

Patel Ramanbhai Mohanbhai

APPELLANT

Vs

The State of Gujarat and Another

RESPONDENT

Date of Decision : 16-06-2006

Acts Referred:

Penal Code, 1860 (IPC) — Section 114, 406, 420, 421, 422

Citation : (2006) 06 GUJ CK 0008

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

Bench : Single Bench

Advocate : B.M. Mangukiya and Bela A. Prajapati, for the Appellant; Prachchak, Assistant Public Prosecutor for Respondent 1, for the Respondent

Judgement

A.L. Dave, J.—Rule. Mr. Prachchak, learned Addl. Public Prosecutor for the State waives the service of notice of Rule.

2. Heard, learned Advocate for the applicant and learned A.P.P. for the opponent - State.

3. Following aspects are considered.

Applicant is involved in the offences punishable under Sections 406, 420, 421, 422, 423, 424, and 114 of the Indian Penal Code.

It appears that applicant was earlier granted bail upon certain conditions. As he could not comply with those conditions in time, he has been re-arrested and hence, this application.

Now, there is no dispute that the conditions upon which the applicant was released on bail has been complied with though beyond time limit. However, since the amount is deposited, this Court is of the view that the applicant's case for regular Bail deserves consideration.

4. The applicant is ordered to be released on bail in connection with Crime Register No. I-56 of 2005 of Mehsana Police Station, on his executing a bond of Rs. 10,000/- (Rupees Ten Thousand only) with one surety of the like amount 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 concerned Police Station on 1st Sunday of every odd numbered English calendar month between 9.00 a.m. and 2.00 p.m.

e) not leave the State of Gujarat without the prior permission of the Sessions Court concerned;

f) furnish the address of his residence at the time of execution of the bond and will not change the residence without prior permission of this Court;

g) surrender his passport, if any, to the lower Court within a week;

5. 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.

6. Bail before the lower Court having jurisdiction to try the case.

7. Rule is made absolute. Direct Service is permitted.