

(2023) 06 GUJ CK 0004

In the Gujarat High Court

Case No : R/Criminal Misc.Application No. 9683 Of 2023

Thakarseebhai Anandbhai Kheni

APPELLANT

Vs

State Of Gujarat

RESPONDENT

Date of Decision : 02-06-2023

Acts Referred:

Citation : (2023) 06 GUJ CK 0004

Hon'ble Judges : Hasmukh D. Suthar, J

Bench : Single Bench

Advocate : Chirag H Parekh, JK Shah

Final Decision : Disposed Of

Judgement

Hasmukh D.Suthar, J

1. Rule returnable forthwith. The learned APP waives service of notice of rule for and on behalf of the respondent-State of Gujarat.

2. By this application, the applicant [original accused person] prays for temporary bail and modification of the condition imposed vide order dated 31.05.2023 passed in the Criminal Misc. Application No.4282 of 2023 by the learned City Civil and Sessions Court, Ahmedabad. The condition reads as under:-

"[2] The applicant – accused viz.Thakarseebhai Anandbhai Kheni is ordered to be released on temporary bail for a period of 10 days from the date of this order on his executing a personal bail bond of Rs.25,000/ - with one surety of the like amount with police escort of 2 – 2 police constable in civil dress on his own cost to attend the after death rituals of his grand-father i.e.uncle of prisoner."

3. I have heard Mr. Chirag Parekh, the learned advocate appearing for the applicant and Mr. J.K. Shah, the learned APP appearing for the State.

4. Considering the huge amount and the applicant is unable to bear the expenses of police escort, this Court is of the view that the condition imposed vide order

dated 31.05.2023 passed in the Criminal Misc. Application No.4282 of 2023 by the learned City Civil and Sessions Court, Ahmedabad is modified to the extend that - "The applicant – accused viz.Thakarseebhai Anandbhai Kheni is ordered to be released on temporary bail for a period of 10 days from the date of this order on his executing a personal bail bond of Rs.50,000/- with one surety of the like amount and further, the applicant shall mark his presence at the concerned police station on every third day."

All other conditions shall remain in operation and those shall be abide scrupulously by the applicant.

The applicant-accused shall surrender himself to the jail authority on or before the expiry of the temporary bail period.

5. With the above, this application is disposed of. Rule is made absolute to the aforesaid extent. Direct service today is permitted.