

Gujarat High Court

Payank vs State on 23 August, 2011

Author: Anant S. Dave,

Gujarat High Court Case Information System

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CR.MA/11691/2011

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IN

THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL

MISC.APPLICATION No. 11691 of 2011

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PAYANK

@ LALO VIKRAMBHAI PATEL - Applicant(s)

Versus

STATE

OF GUJARAT - Respondent(s)

=====

Appearance

:

MS SANDHYA D NATANI for

Applicant(s) : 1,

MS MANISHA L SHAH ADDL. PUBLIC PROSECUTOR for

Respondent(s) : 1,

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CORAM

:

HONOURABLE

MR.JUSTICE ANANT S. DAVE

Date
: 23/08/2011

ORAL
ORDER

This application is filed under Section 439 of the Code of Criminal Procedure in connection with first information report registered at CR No.I-125 of 2009 with Sola High Court Police Station for the offences punishable under Sections 302, 201 and 114 of the Indian Penal Code.

Heard learned APP for the respondent- State.

After going through the paper book, it is found that the applicant is involved in a heinous crime punishable under section 302, 301, 114 of the Indian Penal Code, for which, trial has commenced and witnesses have been examined. As early as on 24th September, 2009, trial Court had rejected the bail application of the applicant. Even blood stains were found on cloths of the applicant and learned Judge while rejected the bail application has narrated along with other attending circumstances.

Considering the above prima facie aspects of the matter, no case is made out to exercise powers under Section 439 of the Code of Criminal Procedure, 1973. Hence, this application is rejected.

(ANANT S. DAVE, J.) //smita// Top