

Gujarat High Court

Tulsibhai vs State on 11 November, 2011

Author: Anant S. Dave,

Gujarat High Court Case Information System

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CR.MA/12977/2011

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IN
THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL
MISC.APPLICATION No. 12977 of 2011

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TULSIBHAI
HARIBHAI PATEL - Applicant(s)

Versus

STATE
OF GUJARAT - Respondent(s)

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Appearance :
MR
JV JAPPEE for Applicant(s) : 1,
MR RC KODEKAR APP for Respondent(s)
: 1,
=====

CORAM

:

HONOURABLE

MR.JUSTICE ANANT S. DAVE

Date
: 27/09/2011

ORAL
ORDER

At the outset, learned counsel for the applicant, on instructions, submits that without prejudice to the rights and contentions of the applicant, he would like to pay Rs.1,00,000/- within two weeks from the date of his release with the concerned court and would make his best possible efforts to see that part of the amount is paid. Learned counsel appearing for the applicant submitted that investigation is over and charge sheet is filed. It is further submitted that wife of the applicant is suffering from Tuberculosis and other serious deceases, by imposing suitable conditions, the applicant may be enlarged on bail.

Heard learned APP for the respondent - State.

Having heard learned counsel for the parties and perusing the record of the case and taking into consideration the facts of the case, nature of allegations, role attributed to the accused and punishment prescribed for the alleged offences coupled with the fact that charge sheet is filed, without discussing the evidence in detail, at this stage, I am inclined to enlarge the applicant on bail in connection with C.R.No.I-149/2010 of Himatnagar Town Police Station for the offences punishable under sections 467, 468, 420, 406 & 114 of the Indian Penal Code, on furnishing bond of Rs.10,000/- (Rupees ten thousand only) with one surety of the like amount to the satisfaction of the lower Court and on conditions that the applicant shall :

[a] not take undue advantage of liberty or abuse liberty;

[b] not act in a manner injurious to the interest of the prosecution;

[c] maintain law and order;

[d] mark presence before the concerned Police Station on every 1st and 15th day of English Calender month between 11.00 a.m. and 2 p.m for three months;

[e] not leave the State of Gujarat without prior permission of the Sessions Judge concerned;

[f] furnish the address of residence at the time of execution of the bond and shall not change the residence without prior permission of this Court;

[g] surrender passport, if any, to the Lower Court immediately.

If breach of any of the above conditions is committed, the Sessions Judge concerned will be free to take appropriate action in the matter.

At the trial, the trial court shall not be influenced by the prima facie observations made by this Court while enlarging the applicant on bail.

Bail before the Lower Court having jurisdiction to try the case.

However, for compliance of the order, S.O. to 23.12.2011.

[Anant S. Dave, J.] *pvv Top