

Gujarat High Court

Tarar vs State on 8 July, 2011

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Gujarat High Court Case Information System

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CR.MA/5886/2011 3/ 3 ORDER

IN
THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL
MISC.APPLICATION No. 5886 of 2011

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TARAR
MANILAL @ MAHESHBHAI KANABHAI & 1 - Applicant(s)

Versus

STATE
OF GUJARAT - Respondent(s)

=====

Appearance :
MR
DAIFRAZ HAVEWALLA for
Applicant(s) : 1 - 2.MR MAULIK N SHAH for Applicant(s) : 1 - 2.
MRS.
MANISHA L. SHAH, ADDL. PUBLIC PROSECUTOR for Respondent(s) :
1,
=====

CORAM

:

HONOURABLE

MR.JUSTICE ANANT S. DAVE

Date
: 08/07/2011

ORAL
ORDER

This application is filed under Section 439 of the Code of Criminal Procedure in connection with First Information Report registered as I-C.R. No.7/2011 with Meghraj Police Station, Sabarkantha for the offences punishable under Section 376 of the Indian Penal Code.

Learned Counsel appearing for the applicants submits that the charge-sheet is filed. The version of the victim alongwith the medico legal case report and other circumstances would entitle the applicants for regular bail and since the trial is likely to take some time, by imposing suitable conditions, the applicants may be enlarged on bail.

Heard learned APP Mrs. Manisha L. Shah for the respondent-State.

Having heard learned Counsels 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 applicants, by imposing suitable conditions, I deem it just and proper to enlarge the applicants on bail.

Learned Counsels for the parties do not press for further reasoned order.

In the facts and circumstances of the case, the application is allowed and the applicants are ordered to be released on bail in connection with First Information Report registered as I-C.R. No.7/2011 with Meghraj Police Station, Sabarkantha, on executing a bond of Rs.5,000/- (Rupees Five Thousand Only) each with one surety of the like amount to the satisfaction of the Trial Court and subject to the conditions that he shall;

- a) not take undue advantage of liberty or misuse liberty;
- b) not act in a manner injurious to the interest of the prosecution;
- c) surrender their passports, if any, to the lower court within a week;
- d) not leave the State of Gujarat without prior permission of the Sessions Judge concerned;
- e) mark presence at the concerned Police Station on the first Sunday of every month between 10.00 a.m. and 3.00 p.m. for three months only;

f) furnish the present address of their residence to the Investigating Officer and also to the Court at the time of execution of the bond and shall not change the residence without prior permission of this Court;

The authorities will release the applicants only if not required in connection with any other offence for the time being.

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

Bail bond to be executed before the lower court having jurisdiction to try the case.

At the trial, the Trial Court shall not be influenced by the observations of preliminary nature, qua the evidence at this stage, made by this Court while enlarging the applicants on bail.

Rule made absolute. Direct Service is permitted.

Sd/-

(Anant S. Dave, J.) Caroline Top