

Gujarat High Court

Ramnikbhai vs State on 24 September, 2010

Author: Z.K.Saiyed,&Nbsp

Gujarat High Court Case Information System

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CR.MA/11306/2010

1/ 2 ORDER

IN  
THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL

MISC.APPLICATION No. 11306 of 2010

In

CRIMINAL

APPEAL No. 1626 of 2010

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RAMNIKBHAI

KHODABHAI SAKARIYA - Applicant(s)

Versus

STATE

OF GUJARAT - Respondent(s)

=====

Appearance :

MR

HARESH JOHIS FOR M/S THAKKAR ASSOC.

for Applicant(s) : 1,

MR

HH PARIKH, LD. ADDL. PUBLIC PROSECUTOR for Respondent(s) :

1,

=====

CORAM

:

HONOURABLE

MR. JUSTICE Z.K. SAIYED

Date  
: 24/09/2010

ORAL  
ORDER

Rule.

Mr.H.H. Parikh, learned Additional Public Prosecutor, waives service of Rule on behalf of the respondent-State.

Heard Mr.Haresh Joshi, learned counsel with Mr.Prakash Thakkar, learned senior counsel for the applicant and Mr.H.H. Parikh, learned Additional Public Prosecutor for the respondent-State.

Today this Court has admitted the appeal filed by the applicant against the judgment and order of conviction and sentence dated 30th August 2010 passed by the learned Additional Sessions Judge, Fast Track Court No.4, Bhavnagar, in Special (ACB) Case No.05 of 2001. The present applicant is on bail at present. Amount of fine is already paid by the present applicant. As the present applicant has been awarded two years' imprisonment, it would be in the interest of justice to allow this application.

In view of the facts and circumstances of the case emerging from the record and in view of the fact that the applicant is on bail at present and the applicant has paid the amount of fine, present application is hereby allowed. The substantive sentence is hereby placed under suspension pending hearing and disposal of the main appeal and the applicant is hereby ordered to be released on same bail, fresh bond.

Bail bond to be executed before the concerned trial Court.

Direct Service is permitted.

(Z.

K. Saiyed, J) Anup Top