IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/CRIMINAL MISC.APPLICATION NO. 6582 of 2020

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RAM @ RAMKO SHAMJIBHAI SANCHANIYA & 1 other(s)

Versus

STATE OF GUJARAT

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Appearance:
MR PV PATADIYA(5924) for the Applicant(s) No. 1,2
MS MONALI BHATT, APP for the Respondent(s) No. 1

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CORAM: **HONOURABLE MR. JUSTICE B.N. KARIA**

Date : 21/07/2020

ORAL ORDER

The present application is filed under Section 439 of the Code of Criminal Procedure by the applicants for regular bail in connection with an FIR being C.R.No. I-265 of 2019 registered with 'A' Division Junagadh Police Station, District: Junagadh for the offences punishable under Sections 302, 114, 323, 143, 147, 148 and 149 of the Indian Penal Code and Section 135 of the Gujarat Police Act.

Learned advocate for the applicants submits that no head injury was caused by any of the applicants by using any weapon and considering the nature of allegations, role attributed to the applicants, the applicants may be enlarged on

regular bail by imposing suitable conditions.

Learned Additional Public Prosecutor appearing on behalf of the respondent-State has opposed grant of regular bail looking to the nature and gravity of the offence.

I have heard learned advocates appearing on behalf of the respective parties. Learned advocates appearing on behalf of the respective parties do not invite reasoned order.

In the facts and circumstances of the case and considering the nature of allegations made against the applicants in the FIR, I am of the opinion that this is a fit case to exercise the discretion and enlarge the applicants on regular bail.

Hence, the present application is allowed and the applicants are ordered to be released on regular bail in connection with an FIR being C.R.No. I-265 of 2019 registered with 'A' Division Junagadh Police Station, District: Junagadh on executing a personal bond of Rs.10,000/- (Rupees Ten Thousand Only) ***each*** with one surety of the like amount to the satisfaction of the learned Trial Court and subject to the

conditions that the applicants 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 passport, 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] furnish latest and permanent address of 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 they are 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 learned Lower Court having jurisdiction to try the case. It will be open for the concerned Court to delete, modify and/or relax any of the above conditions, in accordance with law. At the trial, learned 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 is made absolute to the aforesaid extent.

This order be communicated to the applicants through Jail Authorities by the registry as well as learned Sessions Court concerned.

(B.N. KARIA, J)

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