

appeal he has not misused the facility of bail. The accident took place on account of darkness. The applicant was not driving rashly and negligently. The applicant has been taken in custody on 11th July, 2022 on the day when the appeal was dismissed by the Sessions Court.

5. Learned APP submitted that there are concurrent findings of two Courts. The applicant has been convicted for the aforesaid offences. There is sufficient evidence against the applicant. He had dashed the injured and his wife from behind although, the headlight of motorcycle was in operation. However, it is fairly submitted that the applicant had taken the injured person to the hospital. Considering the fact that the applicant was on bail during the trial, the issue involved in this application and the fact that he has has been taken in custody on 11th July, 2022, this application can be allowed.

6. Hence, I pass the following order:

ORDER

- i. Interim Application No. 2261 of 2022 is allowed;
- ii. The sentence of imprisonment imposed vide Judgment and order dated 22nd November, 2014 passed by learned J.M.F.C. Pali in Criminal Case No.19 of 2014 and confirming

vide judgment and order dated 11th July, 2022 passed by Additional Sessions Judge in Criminal Appeal No.66 of 2014 are suspended and the applicant is directed to be released on bail on executing PR. Bond in the sum of Rs.20,000/- with one or more sureties in the like amount;

iii. The applicant is permitted to furnish cash bail in the sum of Rs.20,000/- for a period of twelve weeks in lieu of surety.

iv. The applicant shall attend the trial Court once in six months on first Saturday of the month till the final disposal of the appeal;

v. In the event, there are two consecutive defaults in attending the trial Court, the said fact may be brought to the notice of this Court and in such eventuality, the prosecution will be at liberty to prefer an application for cancellation of bail.

vi. Interim Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)