

Ajaysinh Pravinsinh Vadher. Vs. State of Gujarat.

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Court : Gujarat

Decided On : Feb-03-2011

Judge : AKIL KURESHI, J.

Acts : Indian Penal Code (IPC) - Section 302, 452, 342, 302, 114, 188

Appeal No. : CRIMINAL MISC.APPLICATION No. 685 of 2011 .

Appellant : Ajaysinh Pravinsinh Vadher.

Respondent : State of Gujarat.

Advocate for Def. : MR DC SEJPAL, Adv.

Advocate for Pet/Ap. : MS. KRUTI M SHAH, Adv.

Judgement :

1. Learned Counsel for the petitioner submitted that, even, as per the case of the prosecution, the petitioner is not directly involved in the offence of murder, punishable under Section-302 of the Indian Penal Code. The petitioner comes into picture after the incident took place. He is stated to have helped the main accused in escaping from the hospital, after taking the treatment. She, further, pointed out that a co-accused, under somewhat similar circumstances, has been released on bail, by an order of this Court, dated 13.01.2011.

2. In addition to the submissions made above, I have also perused the allegations, against the petitioner, made in the complaint and also considering the role attributed to him by the investigating agency and when a co-accused, with somewhat similar allegations, has been released on bail, I see no reason to deny parity to the present petitioner. Under the circumstances, the petitioner is ordered to be released on bail in connection with C.R. NO. I-231/2010, registered with SALABATPURA POLICE STATION, Surat, for the offences punishable under Sections-452, 342, 302, 114 and 188 of the Indian Penal Code, on his furnishing bond of Rs.20,000/- (Rupees Twenty Thousand), with one surety of the like amount to the satisfaction of the lower Court and subject to the conditions that, he shall:

- (1). not take undue advantage of his liberty or abuse his liberty;
- (2). not act in a manner injurious to the interest of the prosecution;
- (3). maintain law and order;
- (4). mark his presence before the concerned Police Station on every 1st and 15th day of English Calendar month between 11:00 a.m. to 2:00 p.m.;
- (5). not leave the State of Gujarat without prior permission of the Sessions Judge concerned;
- (6). furnish the address of his residence at the time of execution of the bond and shall not change the residence without prior permission of this Court;

(7). surrender his passport, if any, to the Lower Court immediately.

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

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

5. Rule is made absolute. Direct service is permitted.

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