

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION NO. 24003 of 2019**

=====

HARSHAD @ MAHAJAN MANEKLAL MANDALIYA THRO UMEDBHAI
PRAKASHBHAI MAKWANA

Versus
STATE OF GUJARAT

=====

Appearance:

PRANCHIKUMARI D RATHOD(10123) for the Applicant(s) No. 1
NOTICE NOT RECD BACK(3) for the Respondent(s) No. 2
MR DHARMESH DEVNANI, PUBLIC PROSECUTOR(2) for the
Respondent(s) No. 1

=====

CORAM: HONOURABLE MR.JUSTICE VIRESHKUMAR B. MAYANI

Date : 31/12/2019

ORAL ORDER

1. Learned Advocate, Ms. Prachi Rathod, appearing for the applicant has made a request to withdraw the present temporary bail application.

2. Learned APP, Mr. Devnani, appearing for the opponent-State has submitted that the present application has been filed by the under-trial prisoner through his friend for temporary release for the reason that wife of the under-trial prisoner has expired on 19.12.2019. He also has submitted that on verification of the Death Certificate, it has come on record that the wife of the under-trial prisoner, namely Parulben, has already expired on 09.03.2006 and her death is registered with the Rajkot Municipal Corporation. A copy of the same has been received by the police, and therefore, the copy of the Death Certificate containing the date of death of the wife of the under-trial prisoner as 19.12.2019 is fraudulent, which is produced along with the temporary bail application.

3. In view of the above mentioned facts and circumstances, learned Advocate for the applicant, Ms. Rathod, wants to withdraw the present temporary bail application.

4. In view of the above, permission is granted, to withdraw the present temporary bail application. But, at the same time, present order will be kept by the Jail Authority with the records and whenever any application, including temporary bail, is filed by or for and on behalf of the under-trial prisoner, the same shall be attached with the Jail Report and the attention of the Court concerned shall be drawn to the same, at the time of hearing of any such application.

5. With the above directions and observations, present temporary bail application stands disposed off, as **WITHDRAWN**. Notice is discharged.

(VIRESHKUMAR B. MAYANI, J)

UMESH/-