

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION NO. 21377 of 2022**

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JETHARAM NARAINRAM MAANJU

Versus

STATE OF GUJARAT

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Appearance:

MR DEVANSH N KAKKAD(12134) for the Applicant(s) No. 1

MR JIMIT P SHAH(9917) for the Applicant(s) No. 1

MS CM SHAH APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE SAMIR J. DAVE**Date : 30/11/2022****ORAL ORDER**

RULE. Learned APP waives service of notice of rule on behalf of the respondent State.

1. This application has been filed under section 439 of the Code of Criminal Procedure for regular bail in connection with the complaint being FIR No.11196003220489 registered with Manjalpur Police Station, Vadodara City for offences punishable under sections 498A and 304B of IPC.

2. Learned advocate for the applicant submitted that the marriage span is of four years and that the other family members, who are co-accused in the case, have already been enlarged on bail. The applicant is aged about 25 years only

and does not have any criminal antecedents. The investigation is over and charge-sheet is also filed. It was, therefore, prayed that the present application may be allowed and the applicant herein may be released on regular bail.

3. Learned APP submitted that the offence alleged against the applicant is serious in nature and that the applicant is a resident of the State of Rajasthan. If released on bail, he would flee justice and would not be available for trial. It was, therefore, prayed that no discretion may be exercised in favour of the applicant.

4. Heard learned advocates on both the sides and perused the material on record. Considering the facts and circumstances of the case, the allegations made in the impugned FIR and since trial will take its own time to conclude, this Court finds this to be a fit case where discretion could be exercised in favour of the applicant.

5. Hence, the present application is allowed. The applicant is ordered to be released on regular bail in connection with the complaint being FIR No.11196003220489 registered with Manjalpur Police Station, Vadodara City on executing a personal bond of Rs.10,000/- (Rupees Ten thousand only) with one surety of the like amount to the satisfaction of the trial

Court and subject to the conditions that he 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 India without prior permission of the concerned trial court;
- [e] furnish the present 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 the concerned trial court;

6. 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 trial Court below having jurisdiction to try the case.

7. Rule is made absolute to the aforesaid extent. Direct service is permitted.

(SAMIR J. DAVE, J)

PRAVIN KARUNAN