

(TO BE RETURNED TO THIS COURT DULY EXECUTED)

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

8722
Criminal Misc. Application No 8727 of 2006

No. Cri. (Bail/Rev./Appeal): This the 15th day of Nov 2006
1. SANJAY HARIRAM AGRAWAL
GULMOHAR CROSS ROADS. 10. JUHU

Petitioner(s)

Vs.
1. STATE OF GUJARAT
PP. HIGH COURT OF GUJARAT

Respondent(s)

To
1. PRESIDING OFFICER
FAST TRACK COURT, ANAND
THROUGH THE SESSIONS JUDGE
ANAND

2. The Officer In-charge
VIDYANAGAR POLICE STATION

Whereas the abovenamed petitioner through his advocate presented the abovenumbered application in this Court praying against the Judgment and Order dtd. 29.6.2005 passed by the P.O. Fast Track Court, Anand CR.MA.NO. 172/2005 and further praying to release the petitioner on bail in connection with M. Case No. 29 of 2002 of Vidyanagar Police Station and etc...

And Whereas Upon hearing MR ABHAYKUMAR P SHAH for the Petitioner no. 1 MS MITA PANCHAL. APP for the State, Court passed the following order :-

सत्यमेव जयते
THE HIGH COURT
OF GUJARAT

COURT'S ORDER

CORAM : D.N. PATEL. J (DATE : 14.11.2006)

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" Rule.....7. Rule is made absolute."
(TRUE COPY OF ORAL ORDER IS ATTACHED HEREWITH)

Witness YAD RAM MEENA, Esquire Acting Chief Justice at Ahmedabad aforesaid this 14th day of Nov. 2006.

By the Court.

one
15/11/06
Deputy Registrar.
This 15th day of Nov 2006



IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
CRIMINAL MISC.APPLICATION No. 8727 of 2006

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SANJAY HARIRAM AGRAWAL - Applicant(s)
Versus
STATE OF GUJARAT - Respondent(s)

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Appearance :

MR ABHAYKUMAR P SHAH for the Applicant.
MS MITA PANCHAL, APP for the Respondent.

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CORAM : HONOURABLE MR.JUSTICE DN PATEL

Date : 14/11/2006

ORAL ORDER

Rule. Learned Additional Public Prosecutor
Ms.Mita Panchal waives service of notice of Rule for the
respondent-State.

2. This application has been preferred under
section 439 of the Code of Criminal Procedure, 1973 in
connection with the offence registered with Vidyanagar
Police Station bearing M.Case No.29 of 2002 for the
offences punishable under section 406, 420, 465, 467,
471, 120-B, 34 and 114 of the Indian Penal Code.

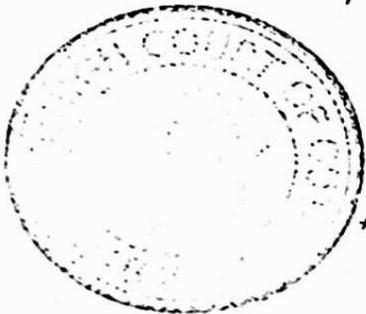
3. Having heard the learned counsel for both the
sides and looking to the facts and circumstances of the
case and the role played by the present applicant coupled
with the fact that other co-accused persons have already
been enlarged on bail and the orders have been annexed

with the memo of the application, today, a detailed list has been given by the learned counsel for the applicant, in which the present applicant has been enlarged on bail by several different orders and also keeping in mind the fact that the investigation is already over and the charge sheet has already been filed, upon completion of the investigation, the whole case is based upon documentary evidence and also keeping in mind the fact that the applicant is in judicial custody since 19th November, 2003 and despite the fact that 3 years are already over but the trial is not commenced, and, therefore, in my opinion, the applicant may be enlarged on bail.

4. The applicant is ordered to be released on bail in connection with the offence registered with Vidyanagar Police Station, Anand bearing M. Case No. 29 of 2002, on his executing a bond of Rs. 25,000/- (Rupees Twenty Five Thousands only) with one surety of like amount to the satisfaction of the lower Court and subject to the conditions that he shall,

- (a) not take undue advantage of his liberty or abuse his liberty;
- (b) not act in a manner injurious to the interest of the prosecution;

- (c) maintain law and order;
- (d) mark his presence before the concerned Police Station on 1st day of every even numbered English calendar month between 9.00 a.m. to 2.00 p.m.;
- (e) not leave the India without the prior permission of the Sessions Court concerned;
- (f) 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;
- (g) surrender his passport, if any, to the lower Court within a week.
5. If breach of any of the above conditions is committed, the Sessions Judge concerned will be free to issue warrant or to take appropriate action in the matter.
6. Bail before the lower Court having jurisdiction to try the case.
7. Rule is made absolute.



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TRUE COPY

Dipti
D.S. TO THE JUDGE
HIGH COURT, SOLAPUR.

sd/-
(D.N.PATEL, J)

TRUE COPY

03/11/06
D.S. TO THE JUDGE
HIGH COURT, SOLAPUR.
SOLA WADIAS