

**Order below Ex.05 in Criminal Appeal No. 49/2024.**

1. The appellant has filed this appeal challenging the judgment and order sentencing the accused and by way of present application has prayed to release accused on bail. In Criminal Case No.1746/2019, the learned Addl. Judicial Magistrate Court, Viramgam, has convicted the appellant and order of sentence of One year simple imprisonment and fine of Rs.2,56,246/- has been passed. In case of failure to deposit amount of fine, the appellant has been directed to undergo further 3 months simple imprisonment. Further, out of the amount of fine, it has been directed to pay Rs.2,46,246/- to the complainant as compensation under Sec.357(1) (b) of Cr.P.C.
  
2. After having heard the learned advocate for the appellant and considering the impugned judgment and contents of Appeal Memo, I am of the view that appeal deserves to be admitted and to suspend the sentence passed in Criminal Case No.1746/2019 and to grant bail to the appellant pending the appeal. However, it would be just to impose condition that the appellant shall deposit 20% of fine amount in the Court. In view of above, I pass the following order :-

## ORDER

- The application stands allowed.
- For the reason recorded above, I hereby order to suspend sentence passed against the appellant/convict by the learned Addl. Judicial Magistrate, Viramgam on Dt.06.11.2024 in Criminal Case No.1746/2019, pending this appeal on condition that the appellant/convict shall deposit 20% of amount of fine imposed within 30 days of this order.
- The appellant is order to be released on bail on furnishing personal bond of Rs.15,000/-(Rupees Fifteen Thousand only) along with one local surety of same amount.
- Yadi be send to the concerned Trial Court.

Signed and pronounced in open court today on 3<sup>rd</sup> day of December, 2024.

**Date : 03/12/2024**

Place : Viramgam.

**[ A. M. Varma ]**

8<sup>th</sup> Additional Sessions Judge,  
Ahmedabad [Rural] at Viramgam.  
[UIC No. GJ00577]