
Order Below Exh.-05 In Criminal Appeal No. 666 of 2024

- (1)... Heard, the learned advocate of the appellants / accused and learned Addl.P.P. for the opponent- The State of Gujarat. It is submitted that the appellants / accused are convicted by the Ld. 5th Additional Judicial Magistrate First Class, Mahesana for the offences punishable u/s. 323,325 & 326 of I.P.C. and sentencing them to two years' simple imprisonment for the offence punishable u/s 326 & 114 of I.P.C and to pay fine of Rs. 1,000/- (Rupees One Thousand Only) for each and in default thereof, ordered further thirty day's simple imprisonment. Therefore, now when the appeal is preferred, and when there is good ground of appeal, it is requested to extend or grant a fresh bail to the appellants/accused, till the final disposal of the appeal. It is further requested to suspend the execution judgment and order of the trial Court.
- (2)... I have read the application, appeal memo and also the judgment and order of the Ld. Trial Court. As per the settled proposition of jurisprudence, it is always better to give an opportunity of appeal to the appellants. Having such valuable right, it is required to release the appellants/accused on bail, till the appeal is decided and the it is also required to suspend the execution Judgment and order of the learned trial Court till the appeal is decided. Therefore, following order is passed:

-.: ORDER :.-

- [1] The execution of Judgment and Order dated 17/10/2024 passed by the Learned 5th Additional Judicial Magistrate First Class, Mahesana in Criminal Case No. 3634/2020, is hereby suspended till the final disposal of the appeal.
- [2] The appellants/accused, namely, **(1) Thakor Vishnuji Tarsangji Shankarji (2) Thakor Viraji Tasangji Shankarji & (3) Thakor Shakaji @ Agraji Tansangji**

are ordered to be released on bail, on furnishing bail bond of **Rs. 50,000/- (Rupees Fifty Thousand Only) for each**, with surety of alike amount to the satisfaction of this Court, on following condition :-

- (i) Appellants/accused shall remain present before the Court regularly, till the final disposal of the appeal.

[3] Yadi be made accordingly.

Signed and pronounced in the open Court on this **16th day of November, 2024.**

Date : 16-11-2024

Place: Mahesana

(Jitendra Rameshchandra Shah)

Sessions Judge

Mahesana

UIC No.GJ01044