

**BEFORE THE PRINCIPAL DISTRICT & SESSIONS
JUDGE at PORBANDAR**

Order Below Exh.4 in Criminal Appeal No.105/2026

1. Present appeal has been filed against judgment of conviction passed by the Learned Additional Chief Judicial Magistrate, Porbandar in Criminal Case No.1025 of 2021 dated 07.04.2026 whereby the appellants have been held guilty for the offense punishable under Section-323 & 324 of Indian Penal Code and following punishment is awarded:-

Section	:	323 of IPC	324 of IPC
Imprisonment & Fine	:	1 Month & Rs.1,000/-	6 Months & Rs.5,000/-
Imprisonment in default of Fine	:	15 Days.	15 Days.

2. It is submitted by the learned advocate of the appellants that, order of sentence passed by the trial court has been suspended till the appeal period. The appellants have already deposited the amount of fine imposed by the Learned Trial Court.
3. It is prayed that, the order of conviction recorded by the Learned Trial Court is not tenable and is likely to be reversed in appeal, therefore, till final hearing of present appeal order of sentence passed by the learned trial court to be suspended and the appellants may be released on bail.
4. I have perused the appeal memo and judgment passed by the trial court. Prima-facie it seems that, there are mix question of law and facts involved in present appeal, which would require detailed hearing after perusing record and proceedings of Learned Trial Court. The appellants were on bail during trial and there are no instances of appellants

having misused the liberty of bail. Hence, in view of the provisions of Sec.415 of B.N.S.S., following order is passed.

-// O R D E R \\\-

- (a) The implementation of Order of sentence for imprisonment passed by Learned Additional Chief Judicial Magistrate, Porbandar in Criminal Case No.1025 of 2021 dated 07.04.2026, is hereby suspended and appellants are ordered to be granted bail till final disposal of this appeal, upon furnishing surety of Rs.25,000/- each and personal bond of like amount each before learned Trial Court with following conditions.

Conditions:-

1. Appellants shall remain present on each and every date of appeal regularly;
 2. shall surrender their passports or execute an affidavit declaring that they do not hold passport, within 7 days from the date of this order;
 3. shall furnish their addresses as well as the address of the surety along with authentic proof & contact number at the time of execution of bond and shall not change their residence without prior permission of the Court.
- (b) Yadi of this order be sent to the concerned Trial Court and police station.

Signed and pronounced in the open Court today
on this **5th DAY OF MAY, 2026 at PORBANDAR.**

Date:- 05.05.2026
Place:- Porbandar

(**M. A. BHATTI**)
Principal District & Sessions Judge,
P O R B A N D A R
Code No. **GJ01506**