

ORDER BELOW EXH.04
IN
CRIMINAL APPEAL NO.18/2025

1. The present application is filed under section 430 of B.N.S.S., 2023 seeking suspension of sentence and release the applicant/convict on bail during the pendency of the appeal.

2. Heard Ld. Advocate Mr. V.D. Thakor on behalf of the applicant/convict.

3. The applicant/accused is convicted for the offence under section 138 of the Negotiable Instruments Act by the Trial Court and he is ordered to undergo 1 year simple imprisonment. The Ld. Trial Court has also ordered an amount of Rs.57,072/- to be paid towards compensation to the complainant. It is further stated that the applicant is in judicial custody since 29/01/2025. The Court has taken into consideration the provision of Section 430 of B.N.S.S., 2023. There been no allegation of accused misused the liberty while he was on bail during pendency of trial court. In view of the above facts and circumstance, this application is appears to be allowed and pass following order.

-: O R D E R :-

1. The present application is hereby allowed.
2. The applicant/convict Mulchandbhai Manabhai Rathod is ordered to be released on bail during the pendency of the appeal on furnishing personal bond of **Rs.10,000/-(Ten Thousand Rupees only)** and surety of likewise amount before the

concerned court on following conditions:

- a) The applicant shall deposit 20% of compensation amount awarded by the Trial Court within 60 days before concerned trial court.
 - b) The applicant shall remain present before this court regularly as and when required.
 - c) The applicant shall furnish his permanent correct address and contact number to the trial court at the time of executing bail bond and shall also furnish the same to the Investigating Officer and shall not change the same without prior permission of the Court.
 - d) Applicant shall surrender his passport, if any, else shall make necessary affidavit.
3. Bail bond to be executed before the concerned Trial Court.

Pronounced and signed in the open court today.

Date : 13/02/2025
Place:Patan

(Prashantkumar H. Sheth)
Sessions Judge, Patan
U.I.Code No.GJ00524