



Application registered on :	14.10.2022
Application decided on :	
Duration :	<u>Y</u> <u>M</u> <u>D</u>

**IN THE COURT OF 4TH ADDITIONAL SESSIONS JUDGE
AHMEDABAD [RURAL] @ VIRAMGAM.**

Criminal Misc. Application No. 331 OF 2022

Exh. _____

APPLICANT:

Vasimkhan Bismillakhan Malek
Age : 32 years, Occup.: Agriculturist
Resi.: Gediya, Tal : Patdi,
Dist. Surendranagar

(At present in Sabarmati Central Jail)

V/s.

OPPONENT:

The State of Gujarat.

Appearance :

- Ld. Advocate Shri D. M. Chavda for the applicant.
- Shri H.R. Solanki, learned APP for the Opponent - State

Application for Interim bail

1. The present applicant has filed the present application for interim bail for the period of 30 days for the offences punishable U/s.302, 120(b), 114, 465, 471, 427, 323 of IPC

the crime registered vide C. R. No.I 35/2014 before the Mandal Police Station.

2. Ld. Advocate for the applicant submitted that the applicant was arrested for the above mentioned offence punishable u/s 302, 120(b), 114, 465, 471, 427, 323 of IPC. He is an under trial prisoner in Session Case No.3/2016. The present application of the applicant is not preferred on merits, but it is preferred on humanitarian ground. The Ld. Advocate further submitted that on 15.11.2022, the engagement function of daughter of applicant will arrange at the residence of applicant. Now he seek 30 days interim bail to attend the engagement ceremony of his daughter. Further it is averted that he has kept the invitation card of the said function. He is ready and willing to abide the conditions if any imposed. Thus, seek 30 days interim bail on Humanitarian ground.
3. Notice was issued to the State and Mr.H. R. Solanki appeared on behalf of the State and raised objection against the application. It is submitted that the applicant is involved in serious offence. The period shown for the engagement functions in the application is excess. He cannot be allowed to be on interim bail for such a long period when the Sessions Case No.3/2016 is pending. Thus, the application does not required to be granted in toto.
4. Read entire papers on record. In the present case interim relief application of the present accused was granted and thereafter he was found absconding. he has been rearrested and sent into custody. In the present case, applicant seek interim relief bail for 30 days on the ground of engagement of his daughter. On

perusing the documentary evidence it reflects that invitation card in the name of Shahina engages to Nazirkhan. Shahina seem to be daughter applicant/accused Vasimkhan Bismillakhan Malek. The said ceremony is going to be organised on 14.11.2022 and 15.11.2022. Looking to the earlier conduct of the applicant, it would not be appropriate to release him on the interim bail without any escort but the present applicant being the father of the daughter going engaged it would not be appropriate to reject the interim bail application in toto. Thus, following final order is passed in the interest of justice

:O R D E R:

*The accused **Vasimkhan Bismillakhan Malek** is permitted to attend engagement ceremony of his daughter Shahina on 14.11.2022 & on 15.11.2022 with police escort. Necessary amount to be deposited as per rules.*

Signed and pronounced in the open Court on 20th day of October, 2022.

Date : 20/10/2022.

Place : Viramgam.

[P.N. Dave]

4th Additional Sessions Judge,
Ahmedabad [Rural] at Viramgam.

[UIC No. GJ00648]