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| Received on   | : | 04-11-2022 |
| Registered on | : | 04-11-2022 |
| Decided on    | : | 09-11-2022 |
| Duration      | : | DD-MM-YY   |
| Exhibit       | : | 05-00-00   |

**IN THE COURT OF 7TH ADDITIONAL SESSIONS JUDGE,  
ANJAR – KACHCHH.**

**Criminal Miscellaneous Application No.416/2022**

**Gopal Namori Maheshwari (Sundha)**

Age 45 years, Occ. Driving,

R/o. Khambhra, Tal : Anjar-Kachchh.

[Now in Judicial Custody]

.....**Applicant.**

**Versus**

**The State of Gujarat**

.....**Opponent.**

Ref: Application for Regular bail under Section 439 of Criminal Procedure Code.

Anjar Police Station, bearing CR No.11993003220099/2022  
Under Sections 307, 397, 323, 325, 143, 147, 149, 427, 114, 148  
of I.P.C. and Section 135 of G. P. Act.

**Appearance:**

**Mr. K. K. Matang**, learned Advocate for the applicant.

**Mr. A. P. Pandya**, learned A. P. P. for the State.

## **J U D G M E N T**

**01.** Complainant Samrathsinh Jorubha Vaghela filed this complaint on dated 13/02/2022 that his brother Hitendrasinh had gone to Village : Khambhra to send money to his brother-in-law. But, at night about 10'O clock, the accused persons Rajesh Karsan, Bhavesh Budhiya Maheshwari, Mayur Karsan Maheshwari, Gopal Namori, Bhuro Namori and Hiren Gopal Maheshwari etc. got together and wrongly restraint Hitendra and started quarreling and attacked by sharp instrument to his brother Hitendra and taken away Rs.2 Lacs and one mobile phone from Hitendra and also damage the Scoda Car and his brother Hitendra was admitted into Sterling Hospital, Gandhidham. Hitendrasinh sustained injury on his forehead and back side of the head and also sustained injury on right hand and Hitendrasindh is admitted in ICU and his treatment is going on. It is nowhere alleged that where the accident actually happened.

**02.** It is alleged by the accused side that his daughter Manisha Gopalbhai Maheshwari filed one criminal complaint against the relatives of the present complainant. Injured Hitendrasinh went to accused house to threaten them and at the residence of accused he started quarreling the accused. So, this incidence has happened. So, accused have acted in their self defence against the present injured person. Injured is out of danger and he has been discharged from the hospital. The incident took place way back in February and present accused is arrested recently after lapse of long period. So, accused has prayed to release him on bail.

**03.** Considering counter complaints made between the parties, no muddamal recovered from the accused and considering the facts of this case, accused is not require to be kept in judicial custody for further period. Hence, I deem it fit to release the accused on bail on submitting surety of Rs.10,000/- as well as personal bond of Rs.10,000/- with following conditions to be observed :

**Conditions :**

- [1] Accused shall maintain law and order;
- [2] Accused shall maintain public peace and tranquility;
- [4] Accused shall not take disadvantage of his liberty.

Pronounced in Open Court today.

**(P. S. Joshi)**

DATE : 09/11/2022

PLACE : ANJAR.

7<sup>Th</sup> ADDITIONAL SESSIONS JUDGE,

ANJAR-KACHCHH

UI Code No.GJ00325

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