

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL APPEAL (FOR ANTICIPATORY BAIL) NO. 1138 of 2025

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MANISHBHAI HARSHADRAY TRIVEDI & ANR.

Versus
STATE OF GUJARAT & ANR.

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Appearance:

MR KEVAL G BRAHMBHATT (BAROT)(9900) for the Appellant(s) No. 1,2

NOTICE NOT RECD BACK for the Opponent(s)/Respondent(s) No. 2

MR HK PATEL, APP for the Opponent(s)/Respondent(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR

Date : 09/05/2025

ORAL ORDER

Rule. Learned APP waives service of notice of rule for the respondent-State.

Upon instructions, learned advocate for the applicant states that applicant is ready and willing to join the investigation.

As the offence is punishable with imprisonment of up to seven years, if the applicant appears, the Investigating Officer is directed to scrupulously follow the settled proposition of law as settled by the Hon'ble Supreme Court in the case of **Arnesh Kumar v. State of Bihar** reported in (2014)8 SCC 273; **Satender Kumar Antil v. Central Bureau of Investigation & Anr.** reported in (2022)10 SCC 51 and **Md. Asfak Alam vs. State of Jharkhand and Another** reported in 2023 SCC OnLine SC 892 and even the learned Magistrate before mechanically authorizing the detention of applicant shall follow the dictum of Hon'ble Supreme Court in the aforesaid decisions.

With the above direction, the present application stands disposed of. Rule discharged.

(HASMUKH D. SUTHAR,J)

ALI

Original copy of this order has been signed by the Hon'ble Judge.

Digitally signed by: ISTAYAK ALI(HC01093), PRIVATE SECRETARY, at High Court of Gujarat on 09/05/2025 19:11:53