

GJGS030007882025



Received on : 10.12.2025

Registered on : 10.12.2025

Decided on : 19.12.2025

Duration : 9 – Days.

IN THE COURT OF THE ADDITIONAL SESSIONS JUDGE
AT UNA, DISTRICT GIR-SOMNATH,

Criminal Misc. Application No.228 of 2025

Javidbhai Jamalbhai Shaikh,
Age:-34 years, Residing at Naliya Mandvi,
Ta.:- Una, District Gir-Somnath.

....Applicant

Versus

The State of Gujarat

....Opponent

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Ld. A. P. P. Mr. M. K. Gohel for the opponent – State.

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Subject:-Application under Section 483 of the
Bharatiya Nagarik Suraksha Sanhita, 2023 for interim bail.

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∴ J U D G M E N T ∴

1. The applicant/accused has preferred the present bail application for interim/temporary bail under the provision of Section 483 of the Bhartiya Nagarik Surksha Sanhita 2023 in relation to offense punishable under Section – 103(1), 238(A) of B.N.S. and Section 135 of the Gujarat Police Act, in connection with the FIR registered vide I - CR. No.11186003250370 of 2025 at Navabandar Marine Police Station.
2. Heard the Ld. A. P. P. Mr. M. K. Gohel appeared on behalf of the State and perused the report produced by the Investigating Officer vide Exh.2.
3. The applicant/accused was heard from the jail through Video Conference and he has submitted in the present application that, he is in custody since long time and at present the economical condition of his family become very weak and except him, there is no any earning member in his family. The applicant/accused has also submitted that, he is having responsibility of his family and the trial may take long time and hence he prayed to enlarge him on interim bail for 30 days for the purpose to manage/improve the economical condition of his family. The applicant/accused has also submitted that, he will abide by any conditions as imposed by the Court.

4. Ld. A. P. P. Mr. M. K. Gohel has resisted this application and submitted that, looking to the nature and gravity of the offence, the applicant/accused is not entitled for interim bail and therefore, the present bail application filed by the applicant/accused for interim bail shall be rejected.
5. The Investigating Officer has also filed his report vide Exh.2; wherein he has resisted the present application filed by the applicant/accused.
6. I have gone through the arguments of both the parties and also perused the police papers and records, it appears from the record that, the applicant/accused has been arrested in connection with the offence punishable under Section – 103(1), 238(A) of B.N.S. and Section 135 of the Gujarat Police Act, in connection with the FIR registered vide I - CR. No.11186003250370 of 2025 at Navabandar Marine Police Station and he is in judicial custody. Meanwhile, the applicant has preferred the present interim bail application stating that, he is in custody since long time and at present the economical condition of his family become very weak and except him, there is no any earning member in his family and he is having responsibility of his family and the trial may take long time and hence he prayed to enlarge him for interim bail for 30 days for the purpose to manage/improve the economical condition of his family.

It also appears from the police papers that, the Investigating Officer has also recorded the statements of father, wife and uncle/neighbor of the applicant/accused; wherein they have supported the present application filed by the applicant/accused for interim bail and also stated that, except the applicant - Javidbhai there is no any earning member remain in the family of the applicant and if the applicant/accused may be released on interim bail, then he will helpful to manage/improve the economical condition of the family.

7. Now, perusing the entire records of the case on hand, it appears that, the applicant/accused is in custody since 25/04/2025 and at present the economical condition of his family become very weak and except him, there is no any earning member in his family and he is having responsibility of his family and hence, the applicant/accused has preferred the present bail application for interim/temporary bail for the purpose to manage/improve the economical condition of his family. Moreover, father, wife and uncle/neighbor of the applicant/accused have also given statements before the police and thereby supported the present application filed by the applicant/accused for getting interim bail. Therefore, under such circumstance, at this juncture, it will be in the interest of justice to grant interim/temporary bail of the applicant/accused only on mercy/humanitarian ground.

8. Therefore, considering all these facts and overall circumstance of the present case on hand, I am of the view that this application for interim bail requires to be partly allowed. Hence, I pass the following final order :-

-:: FINAL ORDER ::-

- (1) Present interim bail application **CRMA No.228 of 2025** is hereby **partly allowed**.
- (2) The applicant – Javidbhai Jamalbhai Shaikh is order to release on interim bail for 10 days – i.e. from 20.12.2025 at 10:00 a.m. to 30.12.2025 at 10:00 a.m. in connection with the FIR being - CR. No. 11186003250370 of 2025 registered with Navabandar Marine Police Station for the offence punishable under Section – 103(1), 238(A) of B.N.S. and Section 135 of the Gujarat Police Act, on furnishing the personal bond of Rs.10,000/- (Rupees Ten Thousand Only) and surety of the like amount by the applicant before the jail authority subject to the following conditions :-
- (a) The applicant shall not take undue advantage of liberty or misuse liberty.
- (b) The applicant shall not tempering with the evidences as well as the witnesses by any manner.

(c) After completion of the above said period of 10 days - i.e. from 20.12.2025 at 10:00 a.m. to 30.12.2025 at 10:00 a.m., the applicant shall surrender himself before the jail authority

(d) The Jail Authority is directed to intimate this Court immediately on surrender of the applicant/accused.

Yadi be sent to the concerned Police Station / Jail Authority.

Signed & pronounced in the open Court today.

Date:-19.12.2025

Place:-Una.

(Maksudahmed Muzaffarhusen Saiyed),
Additional Sessions Judge,
Una at Gir-Somnath.
Code No.GJ00618.