

IN THE COURT OF 5th ADDITIONAL SESSIONS JUDGE, AHMEDABAD[R]

Criminal Misc. Application No.694 of 2026

Exh.

Applicant/

Accused:

Rohan @ Rocky Yogeshbhai Raval

Age : 21 years, Occupation : Welding Worker,

Resident of : Gujarat Housing Board,

Near Bahuchar chowk, Chandkheda, Ahmedabad.

Org. Resident of : Bhokhar gam, Tal.Unja, Mehsana.

(At present : in judicial custody)

VERSUS

Opponents :

1. The State of Gujarat

to be served through

Learned District Government Prosecutor

at District & Sessions Court, Ahmedabad.

2. The original complainant

APPEARANCE

Learned Advocate for the applicant. : Ms. Ankita Goswami

Learned DGP on behalf of the State. : Mr. P. M. Trivedi

Subject : Application for regular bail under section 483 of Bharatiya
Nagarik Suraksha Sanhita.

JUDGEMENT

- (1) The present applicant has filed present bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, seeking regular bail in connection with the FIR No.I No.11191039240908/2024, lodged with Sabarmati Police Station, Ahmedabad for the offence punishable u/s. 109(1), 118(1), 61(2), 3(5), 351(3), 125(A) of B.N.S., Section 3(a), 4(a), 4(b), 5(a), 6 of Explosive Substance Act, Section 9(B)(1)(b), 12 of Explosive Act, Section 25(1)(BA), 27 of Arms Act and Section 3(2)(5) of Atrocity Act.
- (2) The learned advocate representing the applicant has argued that the applicant is innocent and has been falsely implicated in the present case without any prima facie material connecting him to the alleged offence. His name does not appear in the FIR, nor is any specific role, act, or participation attributed to him therein, and his implication arises solely on the basis of a disclosure statement made by a co-accused, which has limited evidentiary value in law and lacks independent corroboration. The Applicant was not present at the scene of the offence, had no involvement in any alleged act, and has no connection with the complainant or the alleged matrimonial dispute forming the background of the case. There is no motive, documentary evidence, or electronic record linking the Applicant with the offence, and the allegations are based merely on suspicion, conjectures, and hearsay.

The investigation has been completed and the charge-sheet has already been filed, thus no further custodial interrogation is required and there is no possibility of tampering with evidence. The Applicant has been in judicial custody since 22.12.2024 for a considerable period, the trial has not yet commenced, and continued incarceration would amount to pre-trial punishment in violation of his fundamental rights under Article 21 of the Constitution of India. The Applicant is a law-abiding young individual with roots in society, having family responsibilities, and there is no likelihood of absconding; he undertakes to cooperate with the trial and abide by any conditions imposed by the Court. The prosecution appears to be malicious and based on guilt by association, and in light of the settled principle that bail is the rule and jail is the exception, as recognized in *Sanjay Chandra v. CBI*, the Applicant deserves to be enlarged on regular bail in the interest of justice, equity, and fair play. In that case, considering the other submissions made in the bail application, we may be granted regular bail.

- (3) The learned DGP has submitted that the regular bail application of applicant was previously been rejected on merits. So there are no new grounds for which the present application is preferred. Hence it may be rejected.
- (4) I have heard the arguments and reviewed the affidavit filed by the

Investigating Officer. I have also examined the bail application and the investigation papers presented before me. The record on hand suggests that this court has rejected regular bail of the present applicant on merits vide Cr.M.A. No.1262/2025. At present, the applicant has preferred application on the same grounds which were already been considered by this court. I have again considered the reasons and it appears that there is no new ground for which successive bail can be granted and hence, I pass the following order:

-: O R D E R :-

- [1] The present Regular Bail Application preferred by applicant named **Rohan @ Rocky Yogeshbhai Raval** is hereby rejected.

Signed & Pronounced in the open Court today on this 24th day of March, 2026.

Date : 24/03/2026.
Place: Ahmedabad

(Mr. Advait Surendra Vyas)
5th Additional Sessions Judge,
(Unique ID Code: GJ00709)

R.R.Dave, PS