

GJBK010008442026



Received on : 07.03.2026
Registered on : 07.03.2026
Decided on : **12.03.2026**
Duration : 05 -- --
D M Y

**IN THE COURT OF SESSIONS JUDGE, BANASKANTHA
AT PALANPUR**

Exh. _____

Criminal Misc. (Regular Bail) Application No. 252/2026

Applicant: **Sejmina Rahematulla Karovaliya**
Age: 40 Years, Occu.: Household work,
R/o Manpura, Tal. Vadgam,
District: Banaskantha,
At present in Sub-jail, Palanpur.

VERSUS

Opponent: **The State**

Appearance:

Mr. D. N. Makwana, L.A. for the Applicant.
Mr. R. P. Vaishnav, Learned P.P. for the Opponent-State.

**APPLICATION FOR REGULAR BAIL UNDER SECTION
483 OF THE BHARATIYA NAGARIK SURAKSHA
SANHITA**

JUDGMENT

- (1) Present application is filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita by the applicant for regular bail in connection with the FIR being C.R. No. 11195009260158/2026 registered with Chhapi Police Station for the offence punishable under Section 109(1), 115(2), 121(1), 125(a), 132, 221 & 54 of B.N.S.

and under Section 135 of G. P. Act.

- (2) Applicant was arrested on 25.02.2026 and she was produced before the concerned Court on 26.02.2026 and at that time she was sent to judicial custody since then applicant is in judicial custody hence, she has preferred the present application under Section 483 of the Bhartiya Nagarik Suraksha Sanhita to enlarge her on regular bail.
- (3) Notice was issued. Upon notice, Learned Public Prosecutor Mr. R. P. Vaishnav appeared for the State.
- (4) Investigating Officer has filed an affidavit at Exh. 6 and opposed the bail application and it is also submitted that on 25/02/2026 at 18/40 hrs, while the Police Officer and Police Personnel went to Manpura Village to carry out Panchnama of place of offence in respect of complaint registered with Chhapi Police Station vide C.R. No. 11195009260152/2026 for the offence under Section 118(1), 121(1), 125(A), 132, 221, 54 of the Bhartiya Nyay Sanhita, at that time, accused No.1-Salimbhai and accused No.2-Sejminaben (present applicant) attacked the government employees with a knife, a glass tube light, a red chili powder, and a broken brick. They hit them on the head with the intention of killing them. In self-defense, they injured on elbow of left hand. They poured hot water and oil on witness ASI Kaushikbhai Okhabhai on his head and forehead, causing injuries, obstructing the lawful work of the police, violating the Notification of the

Additional District Magistrate, aiding and abetting each other in committing crimes. It is also submitted that if applicant-accused easily get regular bail, then the wrong message will be sent to the societies and the public as well. Also, no accused will hesitate to do such a thing again so that law and order cannot be maintained and there will be many difficulties in maintaining law and order and also other people will be motivated to do this anti-social activity and if she is released on regular bail, she will take this crime lightly and will not hesitate to commit such crimes and she will get a reprieve so that the accused will have a constant fear of the law and she will realize the crime she had committed and think a hundred times about committing such crimes again so that in the interest of justice, it is requested to reject the bail application. It is also submitted that another offence had been registered against the applicant. It is also submitted that investigation is still going on hence, looking to the gravity of the offence, it is requested to reject the present application.

- (5) L.A. Mr. D. N. Makwana, appearing for the applicant has submitted that, applicant is falsely implicated in the offence, applicant is innocent and she has nothing to do with alleged offence. It is also submitted that applicant is doing household work and she has two children of the age of 5 and 4 years respectively. It is also submitted that mother-in-law of the applicant is 70

years old and father-in-law of the applicant is 75 years old and he is bed ridden and applicant has all responsibility. It is also submitted that on 24.02.2026, husband of the applicant was at home at that time, four unknown persons entered the house and attacked upon him and due to that incident her husband suffered serious injuries and thereafter he went to hospital and since then he did not return home. It is also submitted on on 25.02.2026, more than 30 police staff came to her house and attacked on her house and caused huge loss and brother in law of the applicant namely Salimbhai had been falsely arrested by the police. It is also submitted that applicant is resident of Manpura, Tal. Vadgam hence, there is no possibility of flee away. It is also submitted that if applicant is not released on bail, which amounts to pre-trial conviction, therefore, he has requested to enlarge the applicant on bail, whatever conditions would be imposed by this Court, applicant shall abide and comply with the conditions.

- (6) *Per contra*, learned Public Prosecutor Mr. R. P. Vaishnav has vehemently opposed the bail application and submitted that, the accused is involved in heinous crime, such act should not be taken lightly, if in such cases bail is granted then wrong signal goes to society, there are possibility of involving or repetition of such type of offence and the accused will flee away from the justice, such possibility cannot be ruled out therefore, it is requested to reject the present bail application.

(7) I have given thoughtful consideration to the arguments advanced by learned advocates for both the sides and considered affidavit filed by the Investigating Officer. I have gone through the investigation papers and upon going through the F.I.R., it appears that, in present case accused is facing the charge under Section 109(1), 115(2), 121(1), 125(a), 132, 221 & 54 of B.N.S. and under Section 135 of G.P. Act. As per complaint, on 25/02/2026 at 18/40 hrs, while the Police Officer and Police Personnel went to Manpura Village to carry out Panchnama of place of offence in respect of complaint registered with Chhapi Police Station vide C.R. No. 11195009260152/2026 for the offence under Section 118(1), 121(1), 125(A), 132, 221, 54 of the Bhartiya Nyay Sanhita, at that time, accused No.1-Salimbhai and accused No.2-Sejminaben (present applicant) attacked the government employees with a knife, a glass tube light, a red chili powder, and a broken brick. They hit them on the head with the intention of killing them. In self-defense, they injured on elbow of left hand. They poured hot water and oil on Witness ASI Kaushikbhai Okhabhai on his head and forehead, causing injuries, obstructing the lawful work of the police, violating the Notification of the Additional District Magistrate, aiding and abetting each other in committing crimes. Hence, complaint was filed against both the accused for the alleged offence.

(8) Looking to the police papers and whole material

available on record, it appears that on 25/02/2026 at 18/40 hrs, while the Police Officer and Police Personnel went to Manpura Village to carry out Panchnama of place of offence in respect of complaint registered with Chhapi Police Station vide C.R. No. 11195009260152/2026 for the offence under Section 118(1), 121(1), 125(A), 132, 221, 54 of the Bhartiya Nyay Sanhita, at that time, accused No.1-Salimbhai and accused No.2-Sejminaben (present applicant) attacked the government employees with a knife, a glass tube light, a red chili powder, and a broken brick. They hit them on the head with the intention of killing them. In self-defense, they injured on elbow of left hand. They poured hot water and oil on Witness ASI Kaushikbhai Okhabhai on his head and forehead, causing injuries, obstructing the lawful work of the police, violating the Notification of the Additional District Magistrate, aiding and abetting each other in committing crimes. It further appears from the affidavit of the Investigating Officer that another offence had been registered against the applicant-accused on 24.02.2026 and alleged offence was registered on 25.02.2026 hence, apparently it appears that applicant is a habitual offender. Moreover, investigation is still going on and charge-sheet is yet to be filed hence, at this juncture, looking to role of the present applicant as well as considering the gravity of the offence, I am not inclined to grant regular bail to the present applicant. Hence, the following order is passed.

ORDER

Present bail application is rejected.

Pronounced in the open Court today, this **12th day of March, 2026.**

PALANPUR.

Date: 12/03/2026

VISHAL

(Shubhada Krishnakant Baxi)

Sessions Judge,

B.K. DISTRICT, PALANPUR.

(Code : GJ00377)