

GJBN010010282026



Received on : 07.03.2026
Registered on : 07.03.2026
Decided on : 24.03.2026
Duration : 17. 00. 00.
DD - MM - YY
Exhibit :

**IN THE COURT OF 4TH ADDITIONAL SESSIONS
JUDGE, BHAVNAGAR**

Criminal Misc. Application No.438/2026.

Anvar @ AB Ibrahimhai Sidi,

Age : 36 years, Occu : Labour work,
Original Native : Near Janta Tavda, Sanghediya
Bazar, Matva Chowk, Bhavnagar.

At present R/o.First Floor, Macchiwala Building,
Bava Gali, Dongari South, Mumbai and
48/50, Fourth Floor, Nyajwala Building,
Ghoghari Maholla, Nalbajar, Behind Navab Masjid,
Mahamadali Road, Mumbai.

At present : District Jail, Bhavnagar.

.. .. **APPLICANT**

Versus

The State of Gujarat

.. .. **OPPONENT**

**Regular Bail application under Section 483 of B.N.S.S -
2023. (Temporary bail)**

Appearance:

Learned Advocate Mr.S.U.Hamirani, for the Applicant
Learned A.P.P. Mr.J.A.Pandya for the Opponent (State)

J U D G M E N T

1. The present application is filed under Section 483 of B.N.S.S - 2023 by the applicant for temporary bail of 15 days to take treatment of applicant.
2. Heard Id. advocate for the applicant/accused. Also heard Ld.A.P.P for the State. I have also perused the opinion report submitted by the I.O.
3. Ld. Advocate for the applicant/applicant has argued that the applicant is suffering from tibiafibular ligament with effusion in proximal tibiofibular articulation and at present, he is having very serious pain and the applicant is in jail since one year and required treatment and operation is to be performed at Sir T.Hospital, Bhavnagar but it is not facility available at Sir T.Hospital, Bhavnagar and the applicant has to go at Ahmedabad Civil Hospital for the said operation therefore, it is requested to grant 15 days temporary bail. In support of his arguments, he has submitted the documents vide mark 3/1 to 3/6 including the medical papers of his case papers and MRI and reports etc.
4. Ld. A.P.P for the State has submitted that grounds mentioned in the bail application are not sufficient

to grant the temporary bail to the applicant/accused. Ld. A.P.P. has submitted that if the applicant/accused be enlarged on bail, he would be flee from justice. Ld. APP has further submitted that crime committed by the present applicant/accused is of NDPS crime. Further, it is submitted that as per the police report and doctor opinion, it appears that he has apprehended that if the applicant is released on temporary bail, he may flee awar from the trial. Therefore, bail application of the applicant/accused may be rejected.

5. I have perused the application of the applicant along with the papers produced by him in support of his application. Also perused the arguments advanced by both the sides. It appears from the record that the operation for tibiafibular ligament with effusion in proximal tibiofibular articulation and operation is required and therefore, considering the nature of surgery, it appears that that surgery can be performed at Sir T.Hospital, Bhavnagar. Further, on perusal of the police report, it appears that there is a serious apprehension shown by him that if the accused is released on temporary bail, he may flee away from the trial. Further, it appears that ground mentioned in the application are not sufficient to grant the temporary bail to the applicant/accused. Further, the present applicant/accused is facing charges of offence under section 8(C), 22(C), 29 of NDPS Act and also

doctor opinion that to check the patient and thereafter, opinion is to be given for operation and therefore, looking to the gravity of offence and *prima facie* involvement of the accused/applicant in the offence, this Court is not inclined to enlarge the applicant/accused on temporary bail as prayed for hence the present application deserves to be rejected therefore, I pass following final order.

ORDER

The Present Criminal Miscellaneous Application (for temporary bail) No.438/2026 filed by the applicant for temporary bail of 15 days is hereby rejected.

Pronounced in the open Court today on **24th day of March, 2026.**

Date: 24.03.2026

Place: Bhavnagar

(JIGNESH GIRISHBHAI DAMODRA)

4th Additional Sessions Judge,
Bhavnagar.

Unique ID Code No.GJ00996

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