

GJBN010011452026



Received on : 10/03/2026
Registered on : 10/03/2026
Decided on : 17/03/2026
Duration : DD-MM-YY
07- 00 -00

Exhibit : _____

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

Criminal Misc. Application No.458/2026.

Iqbalbhai Amirbhai Madhara,

Aged : 38 years, Occu. : Labour work,
R/o. Kumbharvada, Nari Road, Near SBI Bank,
Bhavnagar.

At present : District Jail, Bhavnagar.

.. .. **APPLICANT**
Versus

The State of Gujarat

.. .. **OPPONENT**

Appearance :-

Mr. M.P.Vyas, Learned Advocate for the Applicant,
Mr. J.A.Pandya, Learned A.P.P. for the State.

:: JUDGMENT ::

1. The present applicant is in judicial custody in connection with an offence registered under Sections 15, 15(C) and 29 of NDPS Act, in the Vallabhipur Police Station, Bhavnagar vide - C.R.No.11198065230294/2023. The applicant - accused was arrested and since then the applicant - accused is in judicial custody. That the

present applicant has filed this temporary bail application to release him on temporary bail for limited period of 30 days.

2. Learned advocate Mr.M.P.Vyas appeared before this Court and he submitted that the applicant-accused has been in District Jail, Bhavnagar since he was sent to the judicial custody. He further submitted that the house of the applicant is dilapidated and notice received from Bhavnagar Mahanagar Palika Estate Department and there is difficulty to pay the fees of daughter of applicant named Mahendi who is studying in Kapadiya Mahila College and fees of semester-2 is yet to pay and for that to arrangement of funds and he is the only earning member in his family. He further submitted that no other male member in his family. He further submitted that the presence of applicant is required. He has further submitted that the applicant - accused is ready and willing to comply with all the conditions imposed by this Hon'ble Court while granting the present application. He has further submitted that the applicant - accused shall not hamper or tamper with the evidences or witnesses if he is granted temporary bail for thirty days. Relying on all the submissions he has prayed to grant the present application for thirty days.

3. Learned A.P.P. Mr.J.A.Pandya on behalf of the opponent - State appeared before this Court and I.O. has submitted opinion and learned APP submitted that the applicant - accused is involved in serious offence and hence, if the applicant - accused is granted temporary bail then it is likely that he may flee away from justice and may also try to hamper or tamper the evidences and witnesses. Relying on the above he has prayed to reject the present application of the applicant.
4. In the present matter, I have heard the Learned Advocates for the respective parties, perused the report filed by the Investigating Officer vide Ex.6 along with the statement of wife of applicant.
5. From the record, it appears that the present applicant is facing serious offence punishable under Sections 15, 15(C), 29 of NDPS Act. Further on perusal of the report of the Investigating Officer, it appears that in the alleged offence, if the applicant is released on temporary bail, there is every possibility that the applicant may try to threaten witnesses and he has also shown the apprehension that there is every possibility that he may violate the law and order situation. It also

appears from the statement of wife of applicant Reshmaben W/o.Iqbalbhai Amirbhai Madhara, she has stated in her statement before the police that the financial condition of his family is not good and she cannot study of her both children and no one is earning member in her family and requirement of applicant necessary for arrangement of funds. Therefore, it appears from the record that the reasons given by the applicant is not compelling one to release him on temporary bail and hence, the application of the applicant deserves to be dismissed.

6. Therefore, the application of the applicant deserves to be dismissed and therefore, I pass following order.

:: O R D E R ::

The present application is hereby ordered to be dismissed.

Yadi to be sent to the District Jail, Bhavnagar.

Pronounced in the Open Court today the 17th day of March, 2026.

Date: 17.03.2026

Place: Bhavnagar

(JIGNESH GIRISHBHAI DAMODRA)

4th Additional Sessions Judge,
Bhavnagar.

Unique ID Code No.GJ00996

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