

**IN THE COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE,  
DEVBHOO MI DWARKA AT DWARKA.**

**Criminal Misc. Application No. 39 of 2026.**

**Exh.**

**Jadeja Ranvirsinh Vakhatsinh.**

Aged about : 38 years, Occupation: Service,

Residing at : Verad, Taluka & District :

Jamnagar.

.....APPLICANT

Versus

**THE STATE OF GUJARAT**

Through : The Ld. Public Prosecutor,

District : Devbhoomi Dwarka.

.....OPPONENT

**Application u/s. 482 of BNS for Regular Bail.**

**APPEARANCE :**

Learned Advocate for the applicant : Mr. P. M. Thaker.

Learned APP for the State. : Mr. A. H. Vyas.

**:: J U D G M E N T ::**

1. The present application is preferred by the applicant under section 482 of the Bharatiya Nagarik Suraksha Sanhita for releasing him on anticipatory bail.
2. The factual matrix of the present application are such that offence punishable u/s. 64(2)(A)(I), 64(2)(M), 351(2) of Bharatiya Nyay Sanhita, 2023 (for short "BNS") is registered with Okha Marine Police Station bearing "A" part Cr. No. 11185006260091 of 2026 and as applicant-accused apprehends his arrest for the said offence he has preferred the present anticipatory bail application.

3. The applicant / accused has specified grounds for entitlement of anticipatory bail, which are, that the applicant / accused has not committed any alleged offence and he has been wrongly implicated in the offence. That the applicant / accused is having permanent residence at the address mentioned in the cause title and he would not abscond and he would abide by all the terms and conditions which may be imposed upon him. Hence, the applicants / accused be granted liberty of anticipatory bail.
4. On presentation of this application notice was issued to the State and Ld. APP appeared for the State. I have heard Ld. Advocates appearing for the parties and perused the record.
5. Ld. Advocate, Mr. P. M. Thaker appeared on behalf of the applicant / accused has advanced his oral arguments and reiterated the facts of the application, and further submitted that on face of FIR, it clearly appears that there are consensual relationship between victim and accused and hence, no prima facie case is made out against the applicant / accused. It is also submitted that ingredients of offence of Rape is totally missing. It is submitted that only upon the assumption and presumption, the present applicant/accused is falsely implicated in the present offence. It is submitted that applicant /accused is having permanent residence at address shown above in title clause and having permanent job in police department and thus he is not person to be fled away from the process of law and he will abide by all the terms and conditions that may be imposed by this Hon'ble Court and he will also co-operate with the investigation. It is also submitted that present applicant / accused

has no any serious criminal antecedent. It is further submitted that there is a long way to go into the investigation and conclusion of the trial and there is no need for custodial interrogation of the present applicant / accused in this offence, however whenever the police needs the applicant / accused, he will be present at that time. Hence, on appropriate conditions and amount of surety he shall be released on anticipatory bail.

6. Per Contra the Ld. APP Mr. A. H. Vyas appeared on behalf of the State has objected the present bail application and further submitted that as per the contents of the FIR, prima facie case is made out against the applicant / accused. That the investigation is in progress and the complainant-victim and the accused person are residing in same locality and hence, if anticipatory bail is granted further investigation would adversely affected and applicant-accused may not co-operate in the further investigation and considering the offence custodial interrogation may also be required and hence, looking to the gravity of offence, the present bail application requires to be rejected.
7. I have perused the grounds urged in the bail petition, FIR, complaint and the statement of witnesses recorded during the investigation. I have also considered the fact that applicant-accused has no any serious criminal antecedents and having permanent job in police department. I have also considered the nature of accusation made in the FIR and exact role played by the applicant-accused. Looking to the nature of role played by the present applicant-accused and as, the applicant-accused has family and social root in society, there is

no possibility that he might flee from justice and his presence in society will prejudice the investigation. Hence, in the overall view of the matter, I am inclined to exercise my discretion in favor of the applicant-accused. Further, It is pertinent to note that by enlarging applicant-accused on anticipatory bail, he is not declared as innocent or acquittal, but, he has to face investigation and trial, if the charge sheet is filed. Therefore, in my humble view, this is a fit case to exercise the discretion vested U/s. 482 of B.N.S.S. by imposing stringent conditions and heavy surety. Hence, in the interest of justice, I pass the following order.

**::: O R D E R :::**

1. This Present Criminal Misc. (Reg. Anticipatory Bail) Application No. 39 of 2026, is hereby **granted**.
2. The **applicant / accused Jadeja Ranvirsinh Vakhatsinh**, resident of the address shown in the cause title are hereby **release on anticipatory bail** and on the event of his arrest he shall be released on furnishing personal bond of **Rs. 25,000/- and one surety of like amount** in connection with offence punishable u/s. 64(2)(A)(I), 64(2)(M), 351(2) of the Bharatiya Nyay Sanhita, 2023 registered with Okha Marine Police Station bearing "A" part Cr. No. 11185006260091 of 2026 subject to following conditions that ;
  - I. To appear before Investigating Officer as and when called upon by the Investigating Officer and to cooperate him in investigation.*
  - II. The applicant / accused must remain present during the judicial proceedings against him on each occasion before*

*the Court without fail.*

- III.** *Not to take undue advantage of liberty or abuse liberty and must not indulge in any illegal activity.*
- IV.** *Not to act in a manner injurious to the interest of the prosecution;*
- V.** *Not to temper with evidence or influence the witnesses concerned.*
- VI.** *To Furnish his present address as well permanent address to the Investigating Officer and also to the concerned Court at the time of execution of bond and in case of change of any address then he shall inform new address to the concerned Court immediately.*
- VII.** *The applicant / accused shall not leave the territory of India without prior permission of concerned Court.*
- VIII.** *The applicant / accused shall furnish his contact number / mobile number.*
- IX.** *If any of the condition is breached by applicant / accused, the bail & bond will be automatically stand canceled.*

3. Copy of the order to be furnished in the concerned Court and in the concerned police station.
4. Bail is to be given before the concerned Investigation Officer who investigate the offence.

**Pronounced and signed in the open Court today i.e. 10<sup>th</sup> March, 2026.**

Date : 10.03.2026  
Place : Dwarka.

**[Kaushikkumar Jashvantlal Modi]**  
Additional District & Sessions Judge,  
Devbhoomi Dwarka at Dwarka  
**[UIC No. GJ00597]**