

Received on	
Registered on	
Decided on	12-03-2026
Duration	Y. M. D.

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BEFORE THE COURT OF
3rd ADDITIONAL DISTRICT & SESSIONS JUDGE,
KHEDA AT, NADIAD.

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**Criminal Misc. Application No. 253/2026**  
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APPLICANT:~

Heliyas @ Aliyas Vahadiya Vasuniya
Aged. 26 Years, Occupation: Labourer,
Residence : Hatyadeli, Chaki Faliu,
Ta. Meghnagar, District : Zambua,
State : M.P

Versus

OPPONENT:~

The State of Gujarat.

For Applicant.	Ld. Adv. S. N. Shaikh
For State.	Ld. P.P. Mr. D. R. Barot.

Bail Application under Section 483 of Bharatiya Nagarik
Suraksha Sanhita, 2023

JUDGMENT

1. This is a Regular Bail Application under *Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023* for enlarging the Applicant/Accused on Regular Bail in connection with FIR being C.R. No. 11204033260008 of 2026, registered with Limbasi Police Station.

2. Ld. Advocate for the Applicant/Accused Mr. Shaikh has argued that, his client is innocent and falsely implicated into the present case. It is further submitted that there is no prima-facie case against the present Applicant/Accused. It is further submitted that the injured is out of danger and already discharged from the hospital. It is further submitted that he is the permanent resident of the address mentioned in the cause title. That Applicant/Accused has the responsibility of maintaining his family. That Applicant/Accused has given assurance that he shall abide by all the conditions, if granted Bail. It is further argued that Bail is the Rule and its refusal an Exception. Accused is to be presumed innocent until found guilty in a criminal Trial. In the end, it is prayed to grant Regular Bail to the present Applicant/Accused.

3. Ld. Public Prosecutor Mr. D. R. Barot has argued that there is a clear *prima-facie* case against the Applicant/Accused. It is further submitted that Applicant/Accused committed serious offence with the lady. It is further submitted that the present Applicant/Accused is habitual in committing the offence. If the present Applicant/Accused is granted regular Bail, there is very much possibility of repetition of offence. It is further submitted that if

Applicant/Accused is granted Regular Bail, he will not face the Trial and will flee from Justice. Eventually, it is prayed to reject the present Bail Application.

4. I have heard Ld Advocate for the Applicant/Accused as well as Ld. Public Prosecutor. I have also gone through the Bail Application, Police Papers and Police Affidavit.

Perusing the Police Papers, it is not in dispute that the FIR was filed against the present Applicant/Accused. Perusing the record the injured is out of danger and already discharged from hospital. That the present Applicant/Accused is in Jail. That the Trial of the present case will take lot of time to be completed. That Applicant/Accused has given assurance that he shall give his full cooperation in the Police Investigation and he shall abide by all the conditions, if granted Bail. It goes without saying that '*Bail is Rule and Jail is Exception*'. That the Accused in criminal Trial is to be presumed innocent until found guilty. In light of all these, it appears that this is a fit case, in which, Applicant/Accused can be granted Regular Bail with strict conditions which can address the concern of prosecution, therefore, the present Bail Application succeeds and following Order is passed.

ORDER

1. The Criminal Miscellaneous Application No. 253 of 2026 filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is hereby **GRANTED**.
2. The Applicant i.e. **Heliyas @ Aliyas Vahadiya Vasuniya** is hereby ordered to be released on bail, in connection with the Crime

Register No. 11204033260008 of 2026, registered with Limbasi Police Station, on executing the Personal Bond of Rs.15,000/- (Rupees Fifteen Thousand Only), with one surety of like amount; subject to following terms and conditions:~

The Applicant shall -

1. Furnish his permanent residential address to the Investigation Officer and Trial Court, and shall not change their address without prior permission of the trial Court.
 2. Co-operate with the Investigation Agency.
 3. Not threaten the witnesses, complainant or tempering with the evidence.
 4. Deposit the Passport before the Trial Court, if he is having, and if he has no Passport, then he has to file an Affidavit to that effect before the Trial Court within Three Days of his release.
 5. Not act in a manner injurious to the interest of the prosecution.
 6. Not leave the territorial limits of State of Gujarat without the prior permission of the Court.
3. The bail bond shall be executed before the Ld. Trial Court.
 4. Intimate to the Ld. Trial Court and concerned Police Station.

Pronounced in the open Court today i.e. on this 12th Day of March, 2026.

Date : 12-03-2026
Nadiad.

(Prakash P. Purohit)
3rd Addl. Sessions Judge,
Kheda at, Nadiad.
GJ00685