

|               |                          |
|---------------|--------------------------|
| Filed on      | 03/03/2026               |
| Registered on | 03/03/2026               |
| Decided on    | 07/03/2026               |
| Duration      | Y / M /Days<br>0 / 0 / 4 |

**IN THE COURT OF HON'BLE 3<sup>rd</sup> ADDITIONAL SESSIONS  
JUDGE, PATAN - AT PATAN**

**Criminal Misc. Application No.180/2026**

**Exh.7**

**APPLICANT:**

Chauhan Yuvrajsinh Manuji  
Aged about 20 Years, Occupation : Labourer,  
R/o. Nana Kothasana, Ta. Satlasana, Dist. Mahesana.  
At present : Sub-jail, Sujanipur, Ta.Dist.Patan

V/s.

**OPPONENT :**

The State of Gujarat

**APPEARANCE:**

\*\*\*\*\*

Mr. P. S. Thakor, learned advocate for applicant/accused.

Mr. J. J. Barot, learned advocate for the State/Opponent.

\*\*\*\*\*

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

1. Present applicant/accused has filed present application to get regular bail for the offence punishable U/s.137(2), 87, 64(2) (m), 54 of the B.N.S and Sec.5(L), 6 of the POCSO before the Balisana Police Station as C.R. No.11217004260035/2026 U/s.483 of Bharatiya Nagarik Suraksha Sanhita.

2. It is stated that, the investigating officer is arrested applicant/accused on 24/02/2026 and produced before the

Magistrate and demanding two days remand which was allowed and since then he is in judicial custody. It is stated that this is a first regular bail before the Hon'ble court. It is further stated that applicant/accused is an innocent and he has not involved himself in committing offence, but he has involved on the basis of doubt by the investigating officer and he has wrongly implicated in the offence. It is further stated that he resides as given address and he has having movable and immovable property and he cannot flee away from the trial. If he remain in judicial custody for a long period, his entire family will suffer starvation. It is further submitted that the applicant will comply all the conditions that may be imposed. Moreover, in support of his submission, he has relied upon the case of Mayur Rasikbhai Maru V/s. State of Gujarat, decided on 05/03/2018 in R/Cr.M.A.No.4108/2028 and The State of Uttar Pradesh V/s. Anurudh @ Anr., decided on 09/01/2026 in Criminal Appeal @ SLP (CrI)10656 of 2025.

3. It is the case of the prosecution that, minor niece of complainant, aged about 17 years 2 months, at about 15.00 hours, was going towards Der village from her home and not come till evening, therefore he searched her but not found and he has come to the knowledge that she kidnapped by Yuvrajsinh Manuji Chauhan, resides Nana Kothasana, Ta. Satlasana, Dist. Mahesana, so he had given complaint against accused. It is further stated that, during the investigation, accused, co-accused & prosecutrix minor girl were arrested from Surat. Furthermore, during the investigation, victim is stated that she was in love with main accused and therefore she was going with him initially Mahesana and then Surat and during that time period main

accused had sex with her four times. She had also stated that main accused and co-accused were sold her foot grates (Zanzari) at Kalol, then they went Ahmedabad, Gandhinagar and Surat from where they are arrested.

3. Learned advocate, appearing for the applicant has argued that the applicant is falsely implicated in the alleged offence. It is submitted that the applicant shall not flee away and shall abide all the conditions of bail. Applicant has prayed to release on bail in view of above as well as other grounds in the application.

4. Learned A.P.P. for the State submitted that the applicant/accused has kidnapped the victim on the pretext of marriage and abducted her and committed penetrative sexual assault and such incident are on rise. The accused has committed serious offence of kidnapping victim from lawful guardianship of her parents despite victim being a minor and repeatedly having sexual relations with her. If accused is released on bail then he would tamper with the evidence and will not remain present during trial and a wrong message would be spread in the society and there would be no fear of law amongst the criminals. Thus, prayed to reject the bail application Hence it is submitted to reject the present application.

5. The allegations against the present applicant/accused is to have absconded with the victim minor girl and repeatedly established physical relationship with her. Looking to the affidavit of the I.O.at Exh.6, the victim girl was minor at the time of incident. The applicant/accused was arrested on 24/02/2026. The allegations made against the applicant/accused are very

serious in nature. The said act can certainly be termed as to have crossed the limit of moral turpitude. The legislature has enacted POCSO Act which cannot be overlooked. The applicant herein violated social as well as criminal law. Looking to the offence against the society and more particularly minor girl, there are no ground which emerge as would entitle the applicant/accused being main accused to relief that he seeks. Case laws produce by applicant/accused is not helpful in present case. Investigation is at initial stage. Hence considering the gravity and role of the applicant/accused in the offence, this court is not inclined to use its discretion in favour of the applicant/accused. Hence, the following order.

**-: ORDER :-**

Present Application is hereby rejected.

Pronounced & signed in the open Court today on this  
**7<sup>th</sup> March 2026.**

**Date: 07/03/2026**  
**Place: Patan**

**(Bipin K. Barot)**  
**3<sup>rd</sup> Addl.Sessions Judge, Patan**  
**U.I.Code No.GJ00566**