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EXH.8

**IN THE DESIGNATED COURT OF PRINCIPAL
DISTRICT & SESSIONS JUDGE, AT : RAJKOT.**

Criminal Misc. Application (for Temporary Bail)
No.2288/2026.

Tosifbhai @ Padku Rajakbhai Jangad,

R/o.Botad Mahmadgafur Society,

Salangpur road,

Taluka Dist.Botad

(At present in District Jail,Bhavnagar)

::: APPLICANT.

VERSUS

The State

::: OPPONENT.

Appearance :-

Mr.Y. B. Gosai, Ld. Advocate for the applicant.

Mr.T. M. Gokani,, Ld. Special P.P. for the opponent – State.

Application for temporary bail.

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

- 1] By way of filing the present application, the applicant herein sought to enlarge him on temporary bail for 15 days in connection with the offence registered before **Botad Town Police Station**, for the offence alleged to have been committed under **Sections 109(1), 115(2), 61(2) and 54 of B.N.S. and Sub-Section (2) of Section 3(1), 3(2) & 3(4) of Gujarat Control of Terrorism and Organized Crime Act,2015**, registered vide - **C.R. No.11190002260182/2026**, seeking and contending that, he is in judicial custody since long.
- 2] On being served with the process, the Learned Special PP appeared for the opponent-State. The investigating Officer has submitted his affidavit at **Exh.7**.
- 3] The Learned Advocate Mr.Y. B. Gosai for the applicant has submitted that, this application has been filed solely on the humanitarian ground and without entering into the merits of the case stating and contending that, the applicant is in jail since long time. It has been further stated that, Sunnat Shadi of the applicant's son Azaan and Vastu Pujan of applicant's house are to be scheduled from 22/07/2026 to 24/07/2026, hence, applicant's presence is required. He has submitted that, during Sunnat, applicant's presence is required at Hospital. Hence, he has requested to release the applicant on temporary bail for 15 days.

Ld. Advocate for the applicant has submitted that, he has no objection if the applicant is released on temporary bail by paying expenses of police escort.

- 4] Per contra the Learned Special PP Mr.T. M. Gokani has appeared on behalf of the opponent-State and opposed the grant of relief stating and contending that, the applicant has committed various serious offences under the provisions of GCTOC Act, and the grounds agitated by the applicant for attending Sunnat Shadi and Vastu Punan of house cannot be considered because there are other family members who can attend the said ceremonies in absence of applicant. He has submitted that, if the applicant is released on temporary bail, he would jump his bail. He has submitted that, if the Hon'ble Court thinks it fit to grant temporary bail then the applicant should be granted temporary bail for one or two days with police escort and that too by paying expenses of the police escort.
- 5] Having heard the learned advocates of the respective parties and considering the fact that, the applicant has preferred the present application for attending Sunnat Shadi as well as Vastu Pujan of applicant's house which is scheduled to be held from 22/07/2026 to 24/07/2026.

The Investigating Officer has submitted his affidavit at Exh.7 stating that, the applicant has committed offence punishable under the provisions of GCTOC Act. It has been further stated that, if the applicant is enlarged on

temporary bail he would flee from justice and hamper and tamper with the prosecution witnesses. It has been further stated that, the applicant is the main gang leader and if released he would indulged in similar offence. Hence, he has requested to reject the present application.

- 6] From the perusal of affidavit of the Investigating officer as well as statements of applicant's brother Tahirbhai Rajakbhai Jangad and his friend Dashrathbhai Mukeshbhai Paraliy it appears that, Sunnat Shadi of applicant's son Azaan and Vastu Pujan of the applicant's house are to be scheduled from 22/07/2026 to 24/07/2026. The investigation card has also been produced, which also depicts that Sunnat Shadi of applicant's son Azaan and Vastu Pujan of the applicant's house is to be scheduled from 22/07/2026 to 24/07/202. However, the fact remains that, the applicant is having past criminal antecedents and the apprehension expressed by Ld. Special P.P. that, possibility of the applicant fleeing from justice and hamper and tamper the prosecution witnesses cannot be ruled out. But, considering the fact that, Sunnat Shadi of applicant's son and Vastu Pujan of the applicant's house is to be scheduled and the Ld. Advocate for the applicant has stated that he has no objection if temporary bail is granted with police escort and that too by paying expenses, this court thinks it fit to exercise discretion in favour of the applicant for limited period with police escort. Thus, the following final order.

:: ORDER ::

1] The present Criminal Misc. Application (for Temporary Bail) **No.2288/2026** is hereby rejected. However, the applicant – **Tosifbhai @ Padku Rajakbhai Jangad**, is ordered to be taken to attend Sunnat Shadi of his son as well as Vastu Pujan of his house or where the said ceremony organised for a period from **04.00 p.m. of 22/07/2026 till 04.00 p.m. of 24/07/2026** with police escort, on the following terms and conditions :-

- 1] The Jail Authorities are directed to take the applicant with police escort consisting of two armed constables, who will accompany him during the aforesaid period.
- 2] The policemen will be in civil dress.
- 3] The expenses of police custody will be borne by the applicant and the entire amount for the aforesaid period shall be deposited by him with the Jail Authority in advance prior to his release.
- 4] The applicant-accused shall not mis-use his liberty in any manner.
- 5] The accused to be re-lodged with Jail Authority after completion at **04.00 a.m. of 24/07/2026**, without fail.

2] All concerned to be intimated of this order for necessary

compliance and doing needful.

Pronounced in open court today on this 16th day of
July, 2026.

Place : Rajkot

Date : 16.07.2026

(Jitendra Rameshchandra Shah)
Principal District & Sessions Judge,
(Designated Court, GCTOC Act),
RAJ KOT
Code No.GJ01044

EA.MNG.