

FILED ON	:	02/06/2026
REGISTERED ON	:	02/06/2026
DECIDED ON	:	18/06/2026
DURATION	:	YY MM DD
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Exhibit		

**IN THE COURT OF 3rd ADDL. SESSIONS JUDGE,
SURAT AT BARDOLI**

CRI. MISC. APPLICATION NO.439 OF 2026

FIR No.	A – C.R. No.11214008260296/2026
Police Station	Bardoli Town Police Station.
Offences	under Sections 75(2), 123, 351(1), 54 of BNS, 2023 and under Sections 12, 17 and 18 of Protection of Child from Sexual Offence Act, 2012.

Applicant :

Name	Vyom S/o Ghanshyambhai Prajapati
Age	19 years,
Occupation	studying,
Address	H-102, Sukan Residency, Baben, Taluka : Bardoli, District : Surat.

Vs.

Opponent : The State of Gujarat

Appearance (Learned Advocates):

For Applicant	Ld. advocate Mr. K.V. Temkar
For Opponent	Ld. APP Mr. N.H. Patel

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

1. The applicant/accused has filed this application

under Section 483 (1) (b) of the BNSS, 2023 seeking modification of condition no.(c) imposed in Cri. Misc. Application No.383/2026, dated 18/05/2026 while granting him regular bail.

2. Notice was duly served to the victim in view of the provisions of the BNSS as it is mandatory to hear the victim and she has remained present and has filed objections.

3. The Ld. advocate for the applicant has submitted that, the applicant is granted bail by this court on dated 18/05/2026 in CRMA no.383/2026, while granting bail certain conditions were imposed, one of the condition i.e. condition no. (c) "The applicant-accused shall not leave the territory of Gujarat without prior permission of the Trial Court and shall deposit his Passport, if any, before the concerned court, within seven days". It is further submitted that the applicant is aged 19 years and is studying in F.Y. B.Com. Banking in Financial Analysis at Dr. Homi Bhabha State University's affiliated Sydenham College of Commerce and Economics also doing CFA (Chartered Financial Analysis) at Mumbai. Therefore, condition no.(c) is required to be modified, so that, the applicant may continue his study and if the same is not modified, the entire carrier of applicant shall be ruined and has requested to allow the present application.

4. Learned APP for the State has appeared and filed a report of I.O. at Exh.4 and objected the present application and submitted to pass proper order.

5. Heard the Learned Counsel for both the parties and perused the record.

6. At the very outset, considering the arguments

advanced by both the parties and upon perusal of the list of documents produced on record, it reveals that the applicant was released on regular bail vide Cr.M.A No.383/2026 dated 18/05/2026. The applicant has abided by all the terms and conditions imposed upon him by the Court. He also produced the documents qua his Education. Further, the applicant is aged 19 years and is studying in F.Y. B.Com. i.e. Banking in Financial Analysis in Dr. Homi Bhabha State University's affiliated Sydenham College of Commerce and Economics also doing CFA (Chartered Financial Analysis) at Mumbai. Therefore, condition no.(c) is required to be modified, so that, the applicant may continue his study and if the same is not modified, the entire carrier of applicant shall be ruined, as the trial will take a long time to conclude. It is pertinent to note that there is neither incriminating nor adverse reports on record to show or suggest that, the applicant has misused his liberty, subsequent to his release on bail. Upon perusal of the papers, there is no record to show that the applicant has misused his liberty or committed breach of any conditions. Thus, after considering the rival submission of both the sides and the documents produced in the matter, this Court is of the view that the present application is hereby allowed. Hence, following order is passed.

:: O R D E R ::

- (1) The present Criminal Miscellaneous Application No.439/2026 preferred by applicant/accused is hereby **allowed and the condition no.(c) partly deleted.**

(2) The condition no.(c) "The applicant-accused shall not leave the territory of Gujarat without prior permission of the Trial Court" is hereby deleted.

(3) Rest of the condition shall remain as it is.

Pronounced in open court today on this 18th day of June, 2026.

Date : 18/06/2026

Place: Bardoli.

(Preet Kamal Tirath Ram)

3rd Additional District Judge,

Surat at Bardoli.

UID. No.GJ 02594