

IN THE CITY SESSIONS COURT AT AHMEDABAD
CRIMINAL MISC. APPLICATION NO.2609 OF 2025

APPLICANT:

1. JANAKBHAI GANESHBHAI DABHI
(PRESENTLY IN SABARMATI CENTRAL JAIL)

VERSUS

OPPONENTS:

1. THE STATE OF GUJARAT
2. VILAS KANTIBHAI DANTANIYA
(Original Complainant)

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Appearance:

Mr.P. K. PATHAK, Ld. Advocate for the applicant.

Mr.B. R. PATANI, Ld.Addl. Public Prosecutor for the State.

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APPLICATION FOR REGULAR BAIL

1. Th applicant named above has filed this application for regular bail for the offence punishable under Sections-137(2), 87 and 64(2)(M) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as B.N.S.') and Sections-4, 5(L) and 6 of the Protection of Children From Sexual Offences Act, 2012 (hereinafter referred to as 'the POCSO Act') registered vide Ist C.R. No.11191023250169/2025 before Vadaj Police Station.

2. As this order is passed below Exh.1, all the contents of application are not repeated in this order.
3. Read this application. Perused the document produced along with this application, police papers and victim's statement recorded under Section-164 of Cr.P.C. before Magistrate. Heard Ld. Advocate Mr.P. K. Pathak for the applicant and Ld. A.P.P. Mr.B. R. Patani for the prosecution and helping Advocate Mr.S. B. Mansuri for original complainant and also heard the complainant and considered no-objection pursis (Exh.6) on behalf of the complainant.
4. Considering the submissions made by the parties and after perusing the papers produced on record, it seems that the applicant is allegedly involved in the offences punishable under Sections-137(2), 87 and 64(2)(M) of the B.N.S. and Sections-4, 5(L) and 6 of the POCSO Act. Here in this matter, the applicant-accused is 18 years 5 months old, whereas victim is 16 years 3 months old. The fact reveals from the statement of victim recorded before Magistrate that the victim and applicant had been in contact since two years and they were in a friendship. The victim's parents wanted to fix her engagement with another person, which the victim

did not like and it led the victim to run away. No any material fact relating to offence under Sections-4, 5 and 6 of POCSO Act, is revealed from victim's statement recorded before Magistrate. Further, the complainant, by way of pursis vide Exh.6, has stated that he has no objection, if the applicant is released on bail. Considering all these facts, this bail application is required to be granted. Hence, the following order is passed.

:: O R D E R ::

- (A) The application for regular bail filed by applicant : JANAKBHAI GANESHBHAI DABHI, in connection with the FIR registered vide Ist C.R. No.11191023250169/2025 before Vadaj Police Station, is hereby allowed.
- (B) The applicant arrested in connection with offence registered vide Ist C.R. No.11191023250169/2025 before Vadaj Police Station, is ordered to be released on bail on his furnishing a personal bond of Rs.25,000/- (Rupees Twenty Five Thousand only) with one surety of the like amount. The applicant shall follow the conditions mentioned below:

:: C O N D I T I O N S ::

1. The applicant shall not contact prosecution witnesses and create any interference in the investigation.

2. The applicant shall furnish his precise and correct residential address along with copy of residence proof to the I.O., and Trial Court before being actually bailed out. The applicant shall also furnish new residential address along with copy of address proof, in the event of change in his address.
3. The applicant shall mark his presence before the concerned police station on every 1st day of every month till chargesheet is filed.
4. The applicant shall not leave the local limits of Gujarat without prior permission of the Court and shall deposit his Passport before the I.O., within seven days, if he possesses.
5. The applicant shall not indulge in any type of offence in future.
6. The applicant shall regularly remain present in the Court on every date of hearing.
7. Bail Bond shall be furnished according to the satisfaction of the concerned Court.
8. The authority concerned shall release the applicant only if he is not required in connection with any other offence for the time being.
9. In case of breach of any of the foregoing conditions, the concerned trial Court shall take an appropriate action.

10. The trial Court concerned shall be at liberty to make necessary modification and/or alteration in the above mentioned conditions.

Yadi accordingly to the concerned authority.

Pronounced in the open Court today on this 07th day of April, 2025.

Place : Ahmedabad
Date : 07/04/2025

[JAYESHBHAI LIMBABHAI CHOVATIA]

Unique ID Code : GJ00717
Additional Sessions Judge,
Court No.19,
City Civil Court,
Ahmedabad.

Nilesh