

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/CRIMINAL APPEAL (AGAINST CONVICTION) NO. 1031 of 2025**

**With**  
**CRIMINAL MISC.APPLICATION (TEMPORARY BAIL) NO. 1 of 2026**  
**In R/CRIMINAL APPEAL NO. 1031 of 2025**

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VIJAYBHAI RAMESHBHAI MAKWANA

Versus  
STATE OF GUJARAT & ANR.

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Appearance:

MS URVASHI K MEHTA(11469) for the Appellant(s) No. 1

MR. ADITYA JADEJA, APP for the Opponent(s)/Respondent(s) No. 1

RULE SERVED for the Opponent(s)/Respondent(s) No. 2

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**CORAM:HONOURABLE MS. JUSTICE S.V. PINTO**

**Date : 08/01/2026**

**ORAL ORDER**

**1.**           RULE. Learned Additional Public Prosecutor appears and waives service of notice of rule on behalf of the respondent No. 1 - State.

**2.**           The applicant has preferred this application seeking temporary bail through jail for a period of 21 days on the ground of arranging funds to pay the fine.

**3.**           Heard learned Additional Public Prosecutor Mr. Aditya Jadeja, for the respondent No. 1 – State. Perused the jail remarks on record.

**4.** Learned Additional Public Prosecutor has submitted that as per the jail remarks, the applicant has been convicted for a period of ten years and fine of Rs.15,000/- and in default one year and six months imprisonment for the offences punishable under Sections 363, 366, 376(2)N, POCSO 4(l), and 6 of the Indian Penal Code, 1860 by the judgment and order dated 01.10.2024 and he is in custody for the past two years, nine months and four days. Earlier also, when the applicant was released on temporary bail he did surrender in time, also his conduct in jail is good, and hence, learned Additional Public Prosecutor submits that the application seeking temporary bail may be rejected.

**5.** Considering the submissions of the learned Additional Public Prosecutor and on perusal of the jail remarks, the application requires consideration and the same is allowed.

**6.** The applicant shall be released on temporary bail for a period of **TWO WEEKS** on usual terms and conditions and on executing of personal bond of **Rs.5,000/- (Rupees Five Thousand Only)** to the satisfaction of the concerned Jail authority. The applicant shall surrender before the Jail Authority on completion of temporary bail period, without fail.

**7.** Registry is directed to communicate this order to the concerned Jail Authority by fax / email message forthwith. Rule is made absolute.

ROHAN SONI

**(S. V. PINTO,J)**