



IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR MODIFICATION OF ORDERS)
NO. 18217 of 2025

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CHAITARBHAI DAMJIBHAI VASAVA
Versus
STATE OF GUJARAT & ANR.

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Appearance:
MR ZUBIN F BHARDA(159) for the Applicant(s) No. 1
MR HARDIK DAVE, PP with MR DHAWAN JAYSWAL, APP for the
Respondent(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE M. R. MENGDEY

Date : 04/09/2025

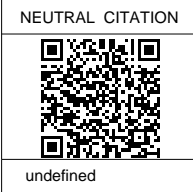
ORAL ORDER

1. The present application is filed by the present applicant for modification of order dated 1.9.2025 passed by learned Additional Sessions Judge, Rajpipla, whereby the present applicant was ordered to be enlarged on temporary bail for a period commencing from 8.9.2025 to 10.9.2025 to enable the present applicant to attend the session of Legislative Assembly. However, while ordering to enlarge the present applicant on temporary bail, a condition was imposed that the present applicant shall be enlarged with police escort at the cost of the present applicant.

2. Heard learned Advocate for the Applicant and learned APP on behalf of the Respondent - State.

3. Rule. Learned APP waives service of notice of Rule on behalf of the Respondent – State.

4. Learned advocate for the applicant submitted that the cost of the police escort is exorbitant and the present applicant is not in a position to bare the expense for the police escort. A statement is made by learned advocate for the



applicant at the bar that while being on temporary bail, the present applicant shall stay at Gandhinagar and shall not enter the district of Narmada. He further submits that while being on temporary bail, the present applicant also shall not address to Media nor he would not make any statements before the Media and shall also not conduct any gathering. He therefore submitted to allow the present application and modify the aforesaid order passed by learned Sessions Court, Rajpipla and order the present applicant on temporary bail for the aforesaid period without any police escort.

5. Learned PP has opposed the Application contending that the present applicant has several other antecedents and it is the experience of local authorities that as and when the present applicant was considered for bail, some untoward incident had taken place and this time also, there is all likelihood that if the present applicant is ordered to be enlarged on temporary bail without any police escort, there are all chances that the some untoward incident may take place. He therefore submitted to dismiss the present application.

6. This Court has considered the submissions canvassed by learned advocate for the parties and has also perused the material placed on record. Learned Sessions Court had considered the case of present applicant for grant of temporary bail to enable him to attend the Legislative Assembly Session. The present applicant is a sitting MLA of the Legislative Assembly and therefore is duty bound to attend the session of the Assembly.

6.1 As stated by learned advocate appearing for the present applicant that while being on temporary bail, the present applicant shall stay at Gandhinagar and shall not address any Media nor would he conduct any gathering, the present application deserves consideration and the same is hereby allowed.



6.2 The present applicant is ordered to be enlarged on temporary bail for the aforesaid period without any police escort. It is needless to say that the present applicant shall abide by the statements made by learned advocate for the applicant before this court. The other conditions imposed by learned Sessions Court to remain as it is.

Rule is made absolute to the aforesaid extent. Direct service is permitted, today.

Manshi

(M. R. MENGDEY,J)