

Laskana Police Station FIR No. 11210010251182/2026

Name of the Accused : Kirti Ranchhodbhai Adalaja

Order U/s 480 of The Bharatiya Nagarik Suraksha Sanhita-2023

(Bail Application)

1) Perused present application, documents of the case, heard the Ld. Advocate appearing on behalf of the accused. The accused alleged to have committed an offence U/s 352 of the Bharatiya Nyay Sanhita, 2023 and Section 67 of the IT Act.

2) The Ld. Advocate appearing on behalf of the accused has submitted that, the applicant/accused has not done any kind of alleged crime. He is innocent. There is no prima-facie case against the applicant/accused as the complaint has been given against unknown persons. If he will be detained in custody then there will be loss to his reputation in society. It was further submitted that, the applicant/accused is the only earning person in his family. He has further submitted that there is no likelihood of tampering with the evidence. If he will be detained further then there may be financial crisis to his family also. It has further submitted that, he will follow every condition of bail, if this Court enlarge him on bail. He has further stated that the charge sheet has already been filed and there is no likelihood of tampering with the evidence. The Ld. Advocate has further stated that the present accused use to work as a driver and has nothing to do with the main accused and the main accused has handed over the alleged car to the present accused for taking the main accused's parents to their village on payment of per day allowance.

The Ld. APP appearing for state has objected the present application and has stated that the accused shall not be released on bail as he has committed a serious offence and has prayed for the rejection of the present application.

3) In case of **Prahlad Singh Bhati VS N. C. T. Of Delhi, 2001 0 Supreme(SC) 549**; the Hon'ble apex court has provided guidelines in

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deciding bail application In the case of **State of Rajasthan v. Balchand,5 (1977) 4 SCC 308**, the Hon'ble apex Court opined that:

“2. The basic rule may perhaps be tersely put as bail, not jail, except where there are circumstances suggestive of fleeing from justice or thwarting the course of justice or creating other troubles in the shape of repeating offences or intimidating witnesses and the like, by the petitioner who seeks enlargement on bail from the Court.

4) Taking into consideration the above judgment and also that the complaint in the present case and the offence provided maximum punishment up to 3 years. The applicant/accused is a local resident and there is no likelihood chance that he will flee away from justice. Even, if the accused tries to flee away or tries to temper evidence or induce any witness of the case, then in such circumstances the state has liberty to approach this Court and get the bail cancelled.

5) Looking to the ratio laid down by Hon'ble apex court in above mentioned judgment, provision of Sec. 480 of the Sanhita and allegations against the accused, this Court considers it proper to exercise discretionary power provided in Sec. 480 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Hence the following final order :

-: FINAL ORDER :-

1. This application is hereby allowed.

2. Present applicant/accused are enlarged on regular bail u/s 480 of the Bharatiya Nagarik Suraksha Sanhita, 2023, on furnishing Security Bond as well as Personal Bond of Rs. 25,000/- (Rupees Twenty Five Thousand) and subject to compulsory fulfillment of below mentioned conditions :

- a) The applicant/accused shall remain present in this Court on every date.
- b) The applicant/accused shall not temper evidences and shall not try to threaten or induce any witness of present case, and co-operate with police in investigation.
- c) The applicants/accused shall inform this Court in case he changes his residential address.

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3. In case of breach of any of the above condition the State shall be at liberty to seek to appropriate court for cancellation of this bail.

Date : 13/08/2026
Surat

(SHAGUN DEEPAK RAJ)
8th Additional J.M.F.C., Surat
[Judge Code : GJ 01655]

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