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Exhibit : 6

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IN THE COURT OF SESSIONS JUDGE AT BOTAD

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CRIMINAL MISC. APPLICATION NO. 181/2026

(Regular Bail-Before Chargesheet)

- Applicants :-**
- 1) **Gelabhai Hirabhai Dangar**, Age:- 33 years,
 - 2) **Vikrambhai Najabhai Dangar**, Age:- 26 years,
 - 3) **Ajaybhai Hanubhai Dangar**, Age:- 25 years,
 - 4) **Vipulbhai @ Budhabhai Pethabhai Dangar**,
Age:- 29 years,
 - 5) **Madhabhai @ Madhabhai Valubhai Dangar**,
Aged :- 33 years,
All are doing business of Animal Husbandry,
All are residing at Lakhanka,
Taluka :- Gadhdha, District:- Botad.
(All are in District-jail of Bhavnagar)

VERSUS

Opponent:- The State

Appearances:

Mr. K. J. Pancholi, learned advocate for the Applicants.

Mr. K. M. Makwana, Learned P.P. for the Opponent-State.

Subject :- Application for Regular bail under Section 483 of BNSS 2023.

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

1. By way of filing the present application while invoking the provision of Section – 483 of the B.N.S.S., the applicants herein prayed to enlarge on regular bail in connection with an alleged offence under Sections 109(1), 118(1), 115(2), 324(2), 352, 351(3), 189(2), 190, 191(2) & 193(3) of the Bharatiya Nyaya Sanhita, 2023 and Section 135 of G.P. Act registered with the Gadhdha Police Station vide C.R.No.111 9000

426 0243/2026. The applicants/accused are in judicial custody since 24/02/2026. Hence, the present application.

2. The sum and short substance of this case in nutshell are such that applicant/accused No. 1 had purchased cattle feed worth Rs.50,000/- from the complainant. When the complainant demanded repayment of the said amount, the applicant/accused No. 1 became aggrieved and harboured resentment towards the complainant. Owing to such grievance and under the pretext of the said monetary demand, the applicants/accused, in furtherance of their common intention, came together and committed the alleged act. Hence, the present case has been instituted against them.
3. Learned advocate for the applicant has raised contention in line with the present application. Beside routine contentions, he has specifically submitted that applicants/accused have been falsely implicated in this case. There is no evidence against the present applicants/accused which can connect the accused with the crime. It is further contended that the applicants/accused have not played any role in the above crime nor have been present at the scene of the incident. Further, there is no iota of evidence to that effect in the present case, they are innocent and have been falsely implicated in the present offence on the basis of surmises and conjecture; there is no direct, concrete evidence against the applicants-accused. He has further submitted that the Trial of the case may take long time and if the applicant will remain in jail for long time, then in absence of bread winner, their family will have to face starvation. The applicants-accused are permanent resident of the cited address and if released on bail, will not likely to abscond or to tamper evidence of the prosecution by inducement or threat to witnesses. The applicants-accused are ready and willing to furnish bail bond of the amount as deem fit to the Hon'ble Court and admit to comply the

conditions that may be imposed. Therefore, they may be released on regular bail.

4. Opposing the present application, learned P.P. for the opponent-State submits that looking to gravity of offence, the applicant is not deserving to be released on bail. He has further submitted that the grant of relief stating and contending that the involvement of the applicants in the alleged offence cannot be ruled out. The Learned PP has also expressed his apprehension that the applicants may jump the bail and further apprehended the possibility of the applicants tampering with the prosecution witnesses/evidence and therefore, submitted that no discretionary power may be exercised in favour of applicants.
5. Investigating Officer has filed his affidavit Exh-5, wherein it is submitted that if the applicants/accused is granted bail, they may jump bail. He has further stated that the accused assaulted the complainant in very brutal manner, armed with deadly weapons caused serious injuries to the complainant. He has further submitted that the investigation is going on and chargesheet is yet to be filed. Hence, it is prayed to reject this application.
6. I have considered the rival submissions of both the sides and perused the police papers so also the affidavit sworn by the Investigating Officer. Having considered the facts and circumstances emerging herein and on careful scrutiny of the evidence gathered by the police through police statements and also various panchnamas and police papers.
7. Bail to be granted or not to be granted requires to be decided on celebrated principles enunciated by the Hon'ble Apex Court and the Hon'ble Gujarat High Court. This Court, at this stage should not go on scrutinizing the evidences before it. The Hon'ble Apex Court has held

that the Court must bear in mind, while deciding the bail application, the merits and demerits of the case should not be discussed in detail, but some important factors are required to be taken into consideration i.e. *prima-facie case against the accused, nature and gravity of offence, punishment prescribed for the offence, danger of the accused absconding or fleeing away, if released on bail, character, behavior, means, position and standing of the accused, likelihood of the offence being repeated, reasonable apprehension of the witnesses being tampered with, larger interest of the society and State, etc.*

8. Looking to the case on hand, it appears that the applicants/accused have been charged with the offences punishable under Sections 109(1), 118(1), 115(2), 324(2), 352, 351(3), 189(2), 190, 191(2) & 193(3) of the Bharatiya Nyaya Sanhita, 2023 and Section 135 of G.P. Act. It appears that the investigation is going on and the charge-sheet is yet to be submitted, but on going through the police papers, it *prima facie* appears that the present applicants/accused have come together with an intention to give serious injuries to the complainant. They were armed with deadly weapons and gave serious bodily injuries in broad day light. In the present case, the police has produced the CCTV footage of the scene of offense, where all accused are found and they have brutally beaten the complainant by deadly sticks. In such circumstances, the grant of bail to the applicants/accused at this stage is likely to adversely affect the larger interest of society and may send an undesirable message undermining public confidence in the administration of justice. Further, going through the police papers, it *prima facie* appears that the applicants/accused have played a pivotal role in so called offence. Further, the submissions expressed by the learned Learned PP regarding his apprehension that the applicants/accused may jump the bail and further apprehended the

possibility of the applicants tampering/hampering with the prosecution witnesses/evidence, cannot be ruled out. The investigation is at crucial stage and release of applicants-accused would jeopardize the prosecution case. I would like to make it clear that at this stage, the Court has not scrutinize the evidence in detail. In my opinion, this is not a fit case to exercise discretion vested with this Court and **after filing of charge-sheet applicants/accused can approach for bail again**. Therefore, without further discussion, I pass the following order:-

:: O R D E R ::

- The present **Cri. Misc. Application No.181/2026** is hereby **rejected** and is ordered to stand accordingly disposed off.
- This order to be intimated to the concerned police station.

Pronounced in the Court today i.e., on this **17th** day of **March, 2026**.

DATE : 17/03/2026.
BOTAD

(M. J. PARASHAR)
SESSIONS JUDGE,
BOTAD.
CODE No.GJ00463