

GJPM010007372026



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**IN THE COURT OF 6<sup>th</sup> ADDITIONAL SESSIONS JUDGE,  
PANCHMAHALS AT GODHRA**

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**CRIMINAL MISC. APPLICATION No. 232/26**

Exh. \_\_\_\_\_

**Applicants :**

1. Keshubhai @ Kishore Abhesinh Dabhi  
Age : 31 Years, Occupation : Agriculturist,
2. Bharatsinh @ Rangit Jaysinh @ Jesinhbhai Dabhi  
Age : 62 Years, Occupation : Agriculturist,
3. Dalpatbhai Sufrabhai Dabhi  
Age : 33 Years, Occupation : Agriculturist,

All the applicants are residing at :  
Boriyavi, Vasani Faliya,  
Taluka : Shahera, District : Panchmahals.

**V e r s u s**

**Opponents :**

1. The State of Gujarat, Gandhinagar.
2. Jaydipsinh Abhesinh Bamaniya  
Age : 36 Years, Occupation : Agriculturist,  
Residing at :  
Boriyavi, Vasani Faliya,  
Taluka : Shahera, District : Panchmahals.

**Appearance :**

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Mr. S. R. Patel : Ld. Advocate for the applicants  
Mr. R. S. Thakor : Ld. PP for the opponent no. 1  
Mr. J. R. Rathod : Ld. Advocate for opponent no. 2  
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**Application for Regular Bail u/s. 483 of BNSS**

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

1. The present regular bail application under the provision of Section 483 of BNSS is preferred by the applicants with respect to offence registered at Shahera Police Station vide CR No. 11207061251136/2025 for the offence punishable under Sections 109(1), 61(1)(b), 189(1), 324, 351(2), 352 of BNS and Sections 3(1)(r)(s), 3(2)(5), 3(2)(5-A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.
2. The Ld. Advocate appearing on behalf of the applicants has submitted that the applicants came to be arrested in connection with this offence on 19.01.2026 and since then they are in judicial custody. It is further submitted that the applicants are innocent persons and have been falsely implicated in the present offence due to political rivalry and personal animosity. It is further submitted that the allegations made in the FIR are exaggerated and motivated and no prima facie case is made out against the applicants.

It is further submitted that even as per the subsequent statement of the complainant recorded during the course of investigation, it revealed that the diesel had spilled upon the complainant and the occupants from a container kept in their own vehicle after the Eeco car overturned and the accused had not sprinkled diesel upon them. This material aspect emerging from the investigation papers creates serious doubt regarding the allegations made in the FIR. It is further submitted that investigation has substantially progressed and the charge-sheet has already been filed vide Atro Case No. 2 of 2026, hence, the custodial interrogation is no longer required and there is no likelihood of absconding or tampering with the evidence. It is further submitted that the applicants are in judicial custody and continued detention would amount to pre-trial punishment. The trial is likely to take considerable time. The applicants are ready and willing to abide by any of the conditions imposed by this Hon'ble Court and shall remain present before the Court as and when required. Hence, the Ld. Advocate has prayed to grant regular bail to the applicants. The Ld. Advocate for the applicants has also produced documentary evidence at Exh. 8, including copies of statements of the complainant and other witnesses recorded during the course of investigation. The said documents have been taken on record and this Court has carefully perused the same.

3. On behalf of opponent no. 1 i.e. the State, Ld. PP Mr. R. S. Thakor has remained present, as well as, the IO has submitted objection on affidavit at Exh. 7. The ld. PP has strongly opposed the grant of bail to the applicants and argued that the applicants have allegedly attempted to kill the complainant and the witnesses on public road by hatching criminal conspiracy. From the said conduct, it appears that the applicants have no fear of the law or the police. It is further submitted that the applicants and the complainant belongs to the same village, and therefore, if the applicants are released on bail, there is a possibility that they may again commit the similar offence. It is also submitted that there is also a possibility that the applicants may threaten or intimate the complainant and the witnesses, thereby prejudicing the trial. So, has payed to reject the regular bail application of the present applicants.
4. The opponent no. 2 i.e. original complainant has also appeared through his Ld. Advocate Mr. J. R. Rathod and has submitted affidavit raising objection against the present bail application vide Exh : 6. The said objections are taken on record and considered.
5. Having heard the Ld. advocates of the respective parties and having perused the material on record. Upon perusal of the contents of the FIR, it prima-facie appears that accused persons, in furtherance of their common intention and

criminal conspiracy, allegedly intercepted the vehicle of the complainant and caused injuries to the complainant and other persons. The allegations further disclose the use of caste related abuses attracting the provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. During investigation, the Investigating Agency has also obtained the CCTV footage of Shahera Police Station, which prima facie shows the presence of the applicants at the police station. Further, the Call Detail Records (CDR) of the applicants were also collected and analyzed by the Investigating Officer, which prima-facie indicate their presence in the vicinity of the place of incident at the relevant point of time. These materials collected during investigation lend support to the allegations made in the FIR and cannot be ignored at this stage. All these material evidences in relation to all these material facts has been collected by the Investigating Officer during the police investigation and thereafter, the charge-sheet is filed. Accordingly, the allegations against the accused persons are materialized by way of direct evidence, in relation to the allegations made against them. It is pertinent to note herein that the applicants have filed the present application after the charge-sheet, but mere filing of the charge-sheet cannot be considered to be change in circumstances. The applicants remain failed to put forward the material change in circumstances, which

may entitled them to be released on bail. In the present situation, since the allegations against the accused persons are materialized by the direct evidence during the police investigation and the applicants remain failed to show material change in circumstances. So, considering the nature and gravity of the offence alleged, the manner in which the incident is alleged to have been committed and the fact that the offence alleged is punishable with imprisonment for life, this Court is of the considered view that seriousness of all these material aspects cannot be ignore at this stage. Moreover, having regard to the overall facts and circumstances of the case and seriousness of the allegations, this Court is not inclined to exercise its discretion in favour of the applicants. Hence, the following order is passed :-

**ORDER**

The present bail application is hereby **rejected**.

Signed and Pronounced in open Court today on this 6<sup>th</sup> day of March, 2026

Date : 06.03.2026

Place : Godhra

*JK*

(Raja Ranchhodbhai Patel)  
6<sup>th</sup> Additional Sessions Judge,  
Panchmahals at Godhra.  
UIC No. GJ00922