

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/CRIMINAL MISC.APPLICATION (FOR SUCCESSIVE ANTICIPATORY
BAIL) NO. 2241 of 2026**

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RAMESHBHAI SHANKARBHAI MEGHANI
Versus
STATE OF GUJARAT

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Appearance:
MR BILAL KAGZI(6618) for the Applicant(s) No. 1
MR. SOAHAM JOSHI, APP for the Respondent(s) No. 1

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**CORAM:HONOURABLE MR.JUSTICE UTKARSH THAKORBHAI
DESAI**

Date : 21/08/2026

ORAL ORDER

1. By way of this application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short, "BNSS"*), the applicant has prayed for anticipatory bail in the event of arrest in connection with the **FIR being C.R. No. 11214021251594 of 2025**, registered with **Kosamba Police Station, District: Surat** for the offences punishable under **Sections 3, 4(1), 4(2), 4(3), 5(a), 5(c), 5(e) of the Gujarat Land Grabbing (Prohibition) Act, 2020 and Sections 465, 467, 468, 471, 120-B and 34 of the Indian Penal Code, 1860.**

2. **Rule.** Learned Additional Public Prosecutor waives service of notice of rule for respondent – State of Gujarat.

3. Learned advocate for the applicant submits that the nature of allegations are such that custodial interrogation at this stage is not necessary. It is further submitted that the applicant will keep himself available during the course of investigation and trial also and will not flee from justice.

3.1 The learned advocate for the applicant further states that the applicant shall abide by all the conditions that may be imposed while granting anticipatory bail to the applicant. Accordingly, it is urged that this application may be allowed and to grant the anticipatory bail to the applicant.

4. As against this, the learned Additional Public Prosecutor appearing on behalf of the respondent – State has opposed grant of anticipatory bail looking to the nature and gravity of the offence and requested not to entertain this application.

5. Having heard the learned advocates appearing for the parties and perusing the papers available on record, it is incumbent upon the Court to exercise its discretion judiciously,

cautiously and strictly in compliance with the basic principles laid down in plethora of decisions of the Apex Court on the point. It is well settled that, among other circumstances, the factors to be borne in mind while considering an application for bail are (i) the nature and gravity of the accusation; (ii) the antecedents of the applicant including the fact as to whether he has previously undergone imprisonment on conviction by a Court in respect of any cognizable offence; (iii) the possibility of the applicant to flee from justice; and (iv) where the accusation has been made with the object of injuring or humiliating the applicant by having him so arrested. Though at the stage of granting bail an elaborate examination of evidence and detailed reasons touching the merits of the case, which may prejudice the case of accused, should be avoided. However, *prima facie*, following aspects have been taken into consideration:

- a) the applicant had remained present before the investigation officer and had given his statement on 19.11.2025 and thereafter on 27.07.2026;
- b) as per the case of the prosecution, the applicant was the alleged purchaser of the land in question wherein, the seller who was the owner of the land was Vijaybhai Baburao Dhamke,

however, it appears that the applicant was unaware about the identity of the owner;

c) on perusing the FIR in question it appears that, the offence is shown to have been committed between 13.08.2014 to 03.02.2015, whereas, the same was lodged before the concerned Police Station only on 04.10.2025, and thereafter, no plausible reason has been mentioned in column no. 8 of the FIR except the fact that, the committee constituted by the Collector had advised to initiate criminal proceedings against all concerned, as regards, the offence in question which was mentioned in the FIR.

d) the applicant being a permanent resident of Surat district, hence would be available at the time of trial;

e) the learned advocate for the applicant has assured that the applicant will not flee from justice and would be available during investigation as well as the trial.

6. Considering the aforesaid aspects and the law laid down by the Hon'ble Apex Court in the case of ***Siddharam Satlingappa Mhetre v. State of Maharashtra and Others, reported in (2011) 1 SCC 6941***, wherein the Hon'ble Apex Court reiterated the law laid down by the Constitution Bench in the case of ***Shri Gurubaksh Singh Sibbia & Others, reported in (1980) 2 SCC 665*** and also the decision in the case of ***Sushila Aggarwal v. State***

(NCT of Delhi), reported in (2020) 5 SCC 1, the Court is inclined to allow the present application.

7. In the result, this application is allowed by directing that in the event of arrest/ appearance of the applicant in connection with the above-referred FIR, the applicant shall be released on bail on furnishing a personal bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two local sureties of like amount on the following conditions that applicant:

(a) shall cooperate with the investigation in every manner and make himself available for interrogation whenever required and shall not be evasive in his replies during the same;

(b) shall remain present at the concerned Police Station on 01.09.2026 between 11.00 a.m. and 2.00 p.m. and the IO shall ensure that no unnecessary harassment or inconvenience is caused to the applicant;

(c) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade him from disclosing such facts to the court or to any police officer;

(d) shall not obstruct or hamper the police investigation and not to play mischief with the evidence collected or yet to be collected by the police;

(e) shall at the time of execution of bond, furnish the address to the investigating officer and the court concerned and shall not change his residence till the final disposal of the case;

(f) shall not leave India without the permission of the Court and if having passport shall deposit the same before the Trial Court within a week and if he does not have a passport, he shall file an affidavit to that effect;

(g) It is open to the police or the investigating agency to move the learned trial Court for a direction under Section 483(2) to arrest the accused, in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial, etc.-

8. It is made clear that this order of anticipatory bail does not in any manner limit or restrict the rights or duties of the police or investigative agency to investigate into the charges against the

applicant who is granted pre-arrest bail.

9. At the trial, the Trial Court shall not be influenced by the *prima facie* observations made by this Court while considering the bail application.

10. **Rule** is made absolute to the aforesaid extent. Direct service is permitted.

ANIRUDH OJHA

(UTKARSH THAKORBHAI DESAI, J)