

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/CRIMINAL MISC.APPLICATION (FOR SUCCESSIVE REGULAR
BAIL - AFTER CHARGESHEET) NO. 2761 of 2026**

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RAHULKUMAR RAJKUMAR SINH (MANDAL)

Versus

STATE OF GUJARAT

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Appearance:

**MR FAIZAL F MEMAN(13147) for the Applicant(s) No. 1
MS KRINA CALLA ADDITIONAL PUBLIC PROSECUTOR for the
Respondent(s) No. 1**

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CORAM:HONOURABLE MR. JUSTICE NIRZAR S. DESAI

Date : 17/04/2026

ORAL ORDER

1. Heard learned advocate Mr. Faizal F. Meman appearing for the applicant and learned Additional Public Prosecutor Ms. Krina Calla appearing for the respondent – State.

2. Rule. Learned APP waives service of rule on behalf of the respondent – State.

3. By way of this **Successive Regular Bail application** filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the applicant seeks release

on regular bail in connection with FIR being C.R. No.11199004221457 of 2022 dated 04.08.2022 registered with Ankleshwar 'A' Division Police Station, Bharuch under Section 395, 397, 307, 342, 333, 353, 450, 452, 120(B), 412, 114 of Indian Penal Code, Section 25(1) (A), 25(1-B)(A), 27(1) of Arms Act and Section 135 of Gujarat Police Act.

4. Learned advocate for the applicant submitted that, the applicant is not involved in commission of offence as alleged in the FIR and therefore, looking to the role of the applicant and nature of the allegations, the applicant is required to be enlarged on regular bail by imposing suitable terms and conditions.

5. On the other hand, learned APP appearing for the respondent – State vehemently submits that, the offences, which have been charged, are serious in nature affecting the society at large and looking to the facts as well as the allegations made against the applicant, no discretion would be required to be exercised.

6. In the facts and circumstances of the case and considering the nature of allegations, this Court is of the opinion that, discretion is required to be exercised to enlarge the applicant on regular bail. This Court has considered the following facts while exercising discretion in favour of the applicant :-

- (i) the applicant is in jail since 25.08.2022;
- (ii) the investigation is over and the charge-sheet is filed;
- (iii) Despite the fact that the FIR was registered on 04.08.2022 and the charge-sheet was filed on 02.11.2022, till date the charge has not been framed. Hence, as the trial has not commenced, its completion will take its own time.
- (iv) Co-accused viz. Riteshkumar Navalkishor Mandal has been enlarged on regular bail by the Co-ordinate Bench vide order dated 08.12.2025 in Criminal Misc. Application No. 22417 of 2025, and another co-accused viz. Rohitkumar Rajkumar Sinh (Mandal) has been enlarged on bail by the Co-ordinate Bench of this Court vide order dated 15.01.2026 in Criminal Misc. Application

No. 429 of 2026. Hence, on the ground of parity, as the role of the present applicant cannot be projected as graver than that of the accused persons who have already been enlarged on bail, the case of the present applicant is considered for bail.

7. In view of the aforesaid facts, without discussing the evidence in detail, this Court, prima facie, is of the opinion that, this is a fit case to exercise the discretion and enlarge the applicant on regular bail. Hence, present application is allowed and the applicant is ordered to be released on regular bail in connection with the FIR being **C.R. No.11199004221457 of 2022 dated 04.08.2022 registered with Ankleshwar 'A' Division Police Station, Bharuch** on executing personal bond of Rs.10,000/- (Rupees Ten thousand only) with one surety of the like amount to the satisfaction of the learned Trial Court and subject to the conditions that he shall;

(a) 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 any Police Officer or tamper with the evidence.

(b) maintain law and order and not to indulge in any criminal activities.

(c) furnish the documentary proof of complete, correct and present address of residence to the Investigating Officer and to the Trial Court at the time of executing the bond and shall not change the residence without prior permission of the trial Court.

(d) provide contact numbers as well as the contact numbers of the sureties before the Trial Court. In case of change in such numbers inform in writing immediately to the trial Court.

(e) mark presence before the concerned Police Station once in a month between 11:00 a.m. and 2.00 pm.

(f) file an affidavit stating his immovable properties whether self acquired or ancestral with description, location and present value of such properties before the Trial Court, if any.

(g) not leave the territory of State of Gujarat without prior permission of the Trial Court

(h) surrender passport, if any, to the Trial Court within a week. If the Applicant does not possess passport, shall file an Affidavit to that effect.

8. Bail bond to be executed before the Trial Court having jurisdiction to try the case. It would be open for the Trial Court concerned to give time to furnish the solvency certificate if prayed for.
9. If breach of any of the above conditions is committed, the Trial Court concerned will be free to issue warrant or take appropriate action according to law. The Authorities will release the Applicant forthwith only if the Applicant is not required in connection with any other offence for the time being.
10. At the trial, the concerned trial Court shall not be influenced by the prima facie observations made by this Court in the present order. Rule is made absolute. Direct service permitted.

(NIRZAR S. DESAI,J)

Pallavi