

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR SUCCESSIVE REGULAR BAIL -
AFTER CHARGESHEET) NO. 4049 of 2026**

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THAKOR CHINUJI @CHENAJI RAJAJI RAMAJI
Versus
STATE OF GUJARAT

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Appearance:

MR N P CHAUDHARY(3980) for the Applicant(s) No. 1
MR UTKARSH SHARMA, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE NIKHIL S. KARIEL

**Date : 16/03/2026
ORAL ORDER**

1. Heard learned Advocate Mr. N.P. Chaudhary appearing on behalf of the applicant and learned Additional Public Prosecutor Mr. Utkarsh Sharma appearing on behalf of the respondent-State.

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

3. The applicant has filed this application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for enlarging the applicant on Regular Bail in connection with FIR being C.R. No. 11217041250371 of 2025 registered with Sarswati Police Station, District Patan, for the offence punishable under Sections 406, 409, 420, 467, 468, 471, 120B and 114 of the Indian Penal Code.

4. Learned advocate for the applicant would submit that considering

the role attributed to the applicant, and nature of the allegation levelled, the applicant may be enlarged on regular bail. It is further submitted that since the charge-sheet is filed, no useful purpose would be served by keeping the applicant in jail for indefinite period. It is further contended that the applicant is ready and willing to abide by all the conditions that may be imposed by this Court if released on bail.

5. As against the same, learned Additional Public Prosecutor appearing for the respondent – State has vehemently objected to the grant of regular bail. Learned APP has submitted that looking to the nature of offence and the role attributed to the present applicant as coming out from the charge-sheet, this Court may not exercise the discretion in favour of the applicant and the application may be dismissed.

6. I have heard learned advocates appearing on behalf of the respective parties and perused the papers. Following aspects are considered:-

- i. Allegation being that the applicant and other accused had defrauded the complainant by availing loan as members of Co-operative Society and not repaying the same.
- ii. It appears that the present applicant was the Chairman of the Society from 2019 onwards and whereas it also appears that a

substantially large amount i.e. Rs. 3,40,00,000/- approximately, had been availed as a loan from a different bank.

iii. The fact that the applicant had used the money to pay up the dues which had been caused when his father was Chairman of the bank in question.

iv. Having observed as above, this Court has also considered the fact that the applicant is in custody since 14.10.2025, the charge-sheet having been laid and there being only one antecedent of the present applicant.

v. This Court has also taken into consideration the submission made by learned Advocate Mr. Chaudhary that the applicant to show his bona fide, without prejudice to his rights and contentions, is ready and willing to deposit an amount of Rs. 50,00,000/- with the learned Trial Court, i.e. Rs. 15,00,000/- as pre-deposit and Rs. 35,00,000/- within a period of four months after his release on bail.

This Court has taken into consideration the law laid down by the Hon'ble Apex Court in the case of **Sanjay Chandra v. Central Bureau of Investigation reported in [2012] 1 SCC 40.**

7. In the facts and circumstances of the case and considering the nature of the allegations made against the applicant in the First

Information Report, without discussing the evidence in detail, prima facie, this Court is of the opinion that this is a fit case to exercise the discretion and enlarge the applicant on regular bail.

8. Hence, the present application is allowed. The applicant is ordered to be released on bail in connection with FIR being C.R. No. 11217041250371 of 2025 registered with Sarswati Police Station, District Patan, on depositing an amount of Rs.15,00,000/- (Rupees Fifteen Lakhs Only) as a pre-condition for release on bail with the learned Trial Court and on executing a bond of Rs.100,000/- (Rupees One Lakh only) with one surety of the like amount to the satisfaction of the trial Court, and whereas the remaining Rs.35,00,000/- (Rupees Thirty Five Lakhs Only) shall be deposited with the Trial Court within a period of four months from the date of his release and subject to the conditions that he shall;

[a] not take undue advantage of liberty or misuse liberty;

[b] not act in a manner injurious to the interest of the prosecution;

[c] surrender passport, if any, to the lower court within a week;

[d] not leave the State of Gujarat without prior permission of the Sessions Court concerned;

[e] furnish the present address of residence to the I.O. and also to the

Court at the time of execution of the bond and shall not change the residence without prior intimation to the I.O.;

[f] mark presence once a month for a period of one six before the concerned police station.

[g] file an undertaking, within a period of one week of his release, before the learned Trial Court as regards deposit of the remaining amount of Rs.35,00,000/- (Rupees Thirty Five Lakhs Only) within a period of four months from the date of his release. In case the said amount is not deposited within the stipulated time limit, it would be open for the learned Trial Court to take appropriate action in accordance with law.

[h] upon the amount being deposited, the same shall be invested in a fixed deposit and whereas, the learned Trial Court shall decide appropriately as regards apportionment/ disbursement of the said amount at the time of final outcome of the trial.

9. The Authorities will release the applicant only if he is not required in connection with any other offence for the time being. If breach of any of the above conditions is committed, the Sessions Court concerned will be free to take appropriate action in the matter.

10. Bail bond to be executed before the lower court having jurisdiction

to try the case. It will be open for the concerned Court to delete, modify and/or relax any of the above conditions in accordance with law.

11. At the stage of trial, the trial court shall not be influenced by any observations of this Court which are of preliminary nature made at this stage, only for the purpose of considering the application of the applicant for being released on regular bail.

12. The application is allowed in the aforesaid terms. Rule is made absolute to the aforesaid extent. Direct service is permitted.

BDSONGARA

(NIKHIL S. KARIEL,J)

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: BHUPENDRASINH DHANESINH SONGARA(HC01082), Private Secretary, at High Court of Gujarat on 17/03/2026 11:14:13