

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR SUCCESSIVE REGULAR BAIL -
AFTER CHARGESHEET) NO. 6620 of 2026**

=====

HIREN RAJANIKANT KANMIYA
Versus
STATE OF GUJARAT

=====

Appearance:

MR. RAAJEN D JADHAV(10026) for the Applicant(s) No. 1
MS DHRUMIKA A LANGALIYA(11726) for the Applicant(s) No. 1
MR JK SHAH, ADDL. PUBLIC PROSECUTOR for the Respondent(s) No. 1

=====

CORAM:HONOURABLE MR. JUSTICE NIKHIL S. KARIEL**Date : 06/04/2026****ORAL ORDER**

1. Heard learned advocate Mr.Raajen Jadhav appearing on behalf of the applicant and learned Additional Public Prosecutor Mr.J.K.Shah 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. 11214020253662/2025 registered with Kamrej Police Station, Surat Rural for the offence punishable under

Sections 3(5), 54, 61(2)(a), 317(2), 318(4), 319(2) of the BNS and Sections 66(C), 66(D) of the I.T.Act.

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. The allegation being that the present applicant had provided his account for the purpose of laundering money which were proceeds of cybercrime.
- ii. The allegation also being that an amount of approximately Rs.4,87,000/- had come to the account of the present applicant and around 16 complaints were registered in the national portal as regards the said bank account of the applicant.
- iii. The fact of the person who has actually used the account for the purpose of laundering money having been considered for release by learned Coordinate Bench vide order dated 16.03.2026 in Criminal Misc. Application No.6275/2026.
- iv. Prima facie, it appears that the present applicant does not have any role to play in either of the offence, more particularly, considering that the present applicant is working as a driver of the taxi which was employed for the purpose of picking up labourers from their residence and dropping them all in a company and thereafter dropping off the said labourers at the residence.
- v. Prima facie, it also appears that the applicant has

received commission of approximately Rs.8,000/-.

vi. This Court has also considered the fact that the applicant is in custody since 12.12.2025 and the charge-sheet having been laid and the applicant has no antecedents.

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 F.I.R. registered as C.R. No. 11214020253662/2025 registered with Kamrej Police Station, Surat Rural, on executing a bond of Rs.15,000/- (Rupees Fifteen Thousand only) with one surety of the like amount to the satisfaction of the trial Court 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 six months before the concerned police station.

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.

Bhoomi

(NIKHIL S. KARIEL,J)