

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/CRIMINAL MISC.APPLICATION (FOR REGULAR BAIL - AFTER
CHARGESHEET) NO. 7120 of 2026**

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KUNAL RAMANBHAI KAHAR
Versus
STATE OF GUJARAT

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Appearance:

MR YASH N NANAVATY(5626) 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 : 29/04/2026

ORAL ORDER

1. Heard learned senior advocate Mr. N. D. Nanavaty on behalf of learned advocate Mr. Yash N. Nanavaty appearing on behalf of the applicant and learned Additional Public Prosecutor Mr. Soham Joshi 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. 11196017250338 of 2025 registered with Panigate Police Station, Vadodara for the offence punishable under Sections 115(2), 314, 296(b), 351(2), 54 and 324(4) of the Bharatiya Nyaya Sanhita, 2023 and under Section 135 of G.P. 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, further incarceration of the applicant will not benefit the Investigation Officer in any manner. 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. Learned advocate has also submitted that, the court may impose strictest of conditions, while enlarging the applicant 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 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 applicant is a permanent resident of Vadodara district, hence would be available at the time of trial;
- ii. Out of the 21 antecedents against the applicant, learned Senior Counsel submits that he has been acquitted in 11 of those offences, whereas, 9 previous offences as well as the present offence are pending.
- iii. The investigation is over. Charge-sheet has been filed.
- iv. The present FIR came to be registered against the applicant before the FIR which was registered under GCTOC Act. The applicant has been granted regular bail in the GUJCTOC offence by the co-ordinate bench

on 27-02-2026 vide order passed in CR.MA No.945 of 2026.

v. The apprehension of the learned APP that, the applicant would once again indulge in similar or such offence, can be put to rest by imposing stringent conditions.

vi. The injured Harish Rameshbhai Kahar has already been discharged from the hospital.

7. 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.

8. 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.

9. Hence, the applicant is ordered to be released on

bail in connection with F.I.R. registered as C.R. No. 11196017250338 of 2025 with Panigate Police Station, Vadodara, on executing a bail bond of Rs.25,000/- (Rupees Twenty Five Thousand only) with two local sureties each 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 his passport, if any, to the trial court within a week, and if he does not possess a passport, he shall file an affidavit to that effect;

[d] not enter Vadodara District till the completion of the trial except for marking his presence at the concerned police station and for attending Court proceedings;

[e] furnish the present address of his residence to the I.O. and to the Court at the time of execution of the bond and shall not change his residence without prior

intimation to the I.O. and the court;

[f] mark his presence every alternate day for three months and thereafter, on every Monday before the concerned police station, till the trial is over;

[g] not indulge in similar kind of offence hereinafter, for which, he shall file an affidavit before the concerned court and the police station.

10. 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 at liberty to take appropriate action in accordance with law.

11. Bail bond to be executed before the trial 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.

12. At the stage of trial, the competent 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 enlarging the applicant on regular bail. The application is allowed in the aforesaid terms. Rule is made absolute to the aforesaid extent. Direct service is permitted.

MAYA

(UTKARSH THAKORBHAI DESAI, J)