

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR REGULAR BAIL - BEFORE
CHARGESHEET) NO. 8284 of 2026**

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RAJESH @ DENIYAL THAKURDAS BHAVNANI
Versus
STATE OF GUJARAT

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Appearance:
MR ANKIT V DIXIT(10019) for the Applicant(s) No. 1
MS.JYOTI BHATT, APP for the Respondent(s) No. 1

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

Date : 15/04/2026

ORAL ORDER

1. Heard learned advocate appearing on behalf of the applicant and learned Additional Public Prosecutor 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. 11209020260244 of 2026 registered with Idar Police Station, Sabarkantha, for

the offence punishable under Sections 316(2), 318(4), 319 and 61 of the BNS, 2023 and under Sections 66(C) and 66(D) of the Information Technology 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 it will take long time for the charge-sheet to be filed, hence no useful purpose would be served by keeping the applicant in jail till then. 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 the charge-sheet is yet to be filed, 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. As submitted by the learned APP and learned advocate for the applicant, the applicant was only the employee in the call center and he has not been financially benefited in any manner.

ii. The applicant does not have any criminal antecedents.

iii. The applicant is a permanent resident of Ahmedabad and hence, would be available at the time of trial.

iv. Co-accused Nikunj Khodabhai Patel, who is similarly placed with the present applicant, has been granted regular bail by this Court, vide order dated 08.04.2026 passed in Criminal Misc. application No.8155 of 2026.

v. As per the prosecution case, the applicant was not associated with any of the co-accused who have

committed the offense.

vi. The applicant was only an employee of the disputed call-center which was raided by the police.

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. 11209020260244 of 2026 registered with Idar Police Station, Sabarkantha, on executing a bond of Rs.10,000/- (Rupees Ten 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 his passport, if any, to the trial court within a week and if he does not have passport, he shall file an affidavit to that effect;

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

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

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 Court concerned will be at liberty to take appropriate action in accordance with law.

10. Bail bond to be executed before the competent 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 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.

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

ANKIT SHAH

(UTKARSH THAKORBHAI DESAI, J)