

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR SUCCESSIVE REGULAR BAIL -
AFTER CHARGESHEET) NO. 7382 of 2026**

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HANSAJI @ HASMUKH ASHAJI LAXMANJI VANZARA
Versus
STATE OF GUJARAT

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Appearance:

MR CR ABHICHANDANI, MR. MANTRA U BHATT(18611) for the Applicant(s) No. 1
MS POONAM M MAHETA(11265) for the Applicant(s) No. 1
KARAN Y VYAS(8539) for the Respondent(s) No. 1
MR ROHAN SHAH, PUBLIC PROSECUTOR for the Respondent(s) No. 1

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CORAM: **HONOURABLE MR. JUSTICE M. R. MENGDEY**
Date : 19/06/2026
ORDER

1. The Applicant has filed this successive 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. 11191008240775 of 2024, registered with Chandkheda Police Station, Gandhinagar, under Sections 103(2), 109(1), 118(1), 118(2), 189(4), 190, 191(3), 351(3), 296(3), 324(6), 126(2) and 3(5) of the Bhartiya Nyay Sanhita, 2023, and Section 135 of the Gujarat Police Act.

2. Heard learned Advocate for the Applicant and learned APP for the Respondent – State.

Rule. Learned APP waives service of notice of Rule on behalf of the Respondent - State.

3. Learned Advocate for the Applicant has submitted that the Applicant has good reputation in the society and 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.

4. Per contra, learned APP strongly opposed this application on the ground that the present applicant actually participated in the offence in question and that the CCTV footage, in which the deceased is seen, is though not identifiable, the other witnesses have categorically stated that the present applicant was present, at the time of commission of the alleged offence. He, further, submitted that this being a successive application for regular bail, there being no change in circumstances, this application may not be entertained. Learned APP has therefore submitted that looking to the nature of offence, this Court may not exercise the discretion in favour of the applicant and the Application may be dismissed.

4.1 Learned Advocate, Mr. Vyas, appearing for the original complainant also opposed this application and submitted that the applicant, herein, is a headstrong person and therefore, if, he is released, there is a possibility that some untoward incident may take place.

5. Heard learned Advocates for the parties and perused the record. The investigation is over and charge sheet is

filed. This court has also considered the following aspects:

(a) As per catena of decisions of Hon'ble Supreme Court, there are mainly 3 factors which are required to be considered by this court, i.e. prima facie case, availability of Applicant accused at the time of trial and tampering and hampering with the witnesses by the accused;

(b) That the learned Advocate for the Applicant has submitted that the Applicant Accused is not likely to flee away;

(c) That the Applicant is in custody since 16.11.2024;

(d) The earlier application preferred by the present applicant, being Criminal Miscellaneous Application (For Regular Bail – After Chargesheet) No. 6535 of 2025, was permitted to be withdrawn vide order dated 05.05.2025 and at that time, the applicant was granted liberty to file a fresh application and hence, this application is preferred;

(e) On the earlier occasion, this Court had examined CCTV footage, but, at that time report of the FSL, with regard to the authenticity of the said

CCTV footage was not available and therefore, the case of the applicant was not considered at that time. Now, the report of the FSL is available and the same indicates that the CCTV footage is not clear and identifiable. Further, there is no evidence on the record to indicate that the present applicant had inflicted any blow on the deceased;

(f) The law laid down by the Hon'ble Apex Court in the case of **Sanjay Chandra v. C.B.I. Reported in (2012) 1 SCC 40;**

6. Having heard the learned Advocates for the parties and perusing the record produced in this case as well as taking into consideration the facts of the case, nature of allegations, gravity of accusation, availability of the Applicant Accused at the time of Trial etc. and the role attributed to the present Applicant accused, the present Application deserves to be allowed and accordingly stands allowed. This Court has also gone through the FIR and police papers and also the earlier order passed by the learned Sessions Court where the learned Sessions Judge has disallowed the bail Application at initial stage. The Applicant Accused is ordered to be **released** on bail in connection with the aforesaid FIR on executing a personal bond of Rs.10,000/- with one surety of the like amount to the satisfaction of the trial Court, subject to the following

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) **not enter** within the limits of the concerned Police Station, except, for the purpose of attending the court proceedings, till completion of the trial;

(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) 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;

(h) not leave the Territory of Gujarat without prior permission of the trial court concerned;

7. 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.

8. 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.

9. 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.

UMESH/-

(M. R. MENGDEY,J)