

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR SUCCESSIVE REGULAR BAIL -
AFTER CHARGESHEET) NO. 9231 of 2026**

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NIRMALSINH GOPALSINH SOLANKI (AS PER NAME BAIL ORDER)

Versus

STATE OF GUJARAT

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Appearance:

MR. DARSHAN A. DAVE(7921) for the Applicant(s) No. 1

MR. TIRTHRAJ PANDYA, APP for the Respondent(s) No. 1

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CORAM:**HONOURABLE MR. JUSTICE VIMAL K. VYAS****Date : 07/05/2026****ORAL ORDER**

1. **Rule** returnable forthwith. Learned APP Mr. Tirthraj Pandya waives service of notice of Rule for and on behalf of the respondent – State.

2. By way of filing the present successive regular bail application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the applicant seeks regular bail in connection with the FIR being C.R. No.11994001250174 of 2025 registered with the Ahmedabad Railway Police Station, District – Ahmedabad City, for the offences punishable under Section 108 of the Bharatiya Nyaya Sanhita, 2023.

3. Learned advocate Mr. Darshan Dave appearing for the applicant has submitted that considering the nature of the offence as well as considering the manner and method in which it had happened, the applicant may be enlarged on regular bail by imposing suitable conditions.

4. Learned advocate Mr. Dave has submitted that the applicant is in jail since 08.05.2025. He has further submitted that the applicant has been falsely implicated in the alleged offence, and since the charge sheet has already been filed, the present applicant-accused may be released on bail by imposing suitable terms and conditions.

5. Per contra, learned APP Mr. Tirthraj Pandya appearing on behalf of the respondent-State, while vehemently opposing the present application for grant of regular bail, has submitted that looking to the seriousness and gravamen of the offence, the present application does not require to be entertained and the same may be dismissed.

6. Heard learned advocates appearing for the respective parties, perused the investigation papers as well as considered the allegations levelled against the applicant-accused and the

role attributed to the present applicant-accused.

7. This Court has considered the following aspects :-

(i) The applicant is in jail since 08.05.2025. The maximum punishment prescribed for the offence punishable under Section 108 of the Bharatiya Nyaya Sanhita, 2023, is up to 10 years.

(ii) Investigation is over and the charge sheet has already been filed on 03.07.2025. The same was committed to the Sessions Court on 21.07.2025.

(iii) It appears that the charge has not yet been framed.

(iv) It appears from the charge-sheet papers, that 34 witnesses have been cited, therefore considering the same, it appears that the trial will take its own time.

(iv) The presence of the applicant can be secured by imposing suitable conditions.

8. This Court has also 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** as well as in the case of **Satender Kumar Antil v. Central Bureau of Investigation & Anr.** reported in **(2022)10 SCC 51**.

9. On the facts and in the circumstances of the case, as well as, considering the nature of the allegations made against the applicant-accused, without discussing the evidence in details, prima facie, this Court is of the opinion that this is a fit case to exercise discretion and enlarge the applicant on regular bail.

10. Hence, the present application is allowed. The applicant is ordered to be released on regular bail in connection with the FIR being C.R. No 11994001250174 of 2025 registered with the Ahmedabad Railway Police Station, District – Ahmedabad City, on executing a personal bond of Rs.15,000/- (Rupees Fifteen Thousand only) with one surety 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 the liberty or misuse the 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 the prior permission of the Sessions Judge concerned;

[e] furnish the present address of his residence to the Investigating Officer as well as to the Court, at the time of execution of the bond, and shall not change the residence without the prior permission of this Court;

[f] shall mark his presence before the concerned Police Station, in the first week of every month, till six months.

11. The authorities shall 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 Judge concerned shall be free to issue warrant or take appropriate action in the matter.

12. Bail bond shall 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.

13. At the trial, the trial Court shall not be influenced by the preliminary observations made by this Court while enlarging the applicant on bail.

14. Rule made absolute to the aforesaid extent. Direct service is permitted.

DEEPAK GEHLOT

(VIMAL K. VYAS, J)