

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR SUCCESSIVE REGULAR BAIL -
AFTER CHARGESHEET) NO. 10547 of 2026

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LALJIBHAI @ LALBHAI (LALABHAI) PUNJABHAI BHAGORA
Versus
STATE OF GUJARAT

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Appearance:

MS HANIBEN H JOSHI(12871) for the Applicant(s) No. 1

MS. MONALI BHATT, APP for the Respondent(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE M. R. MENGDEY

Date : 10/07/2026

ORDER

1. 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 CR. No.11209055240773 of 2024 registered with Vijaynagar Police Station, Sabarkantha for the offences punishable under Sections 103(1), 309(6), 238 and 61 of the BNS, 2023 and Section 135 of the G.P. Act.

2. Learned Advocate appearing for the applicant submits that the applicant has been arrested in connection with the present offence on 08.12.2024 and, therefore, he has undergone incarceration for a period of more than 18 months. She further submitted that the present applicant has been implicated in the present offence only on the basis of the statement of the co-accused. There is no other material implicating the present applicant with the offence in question. She further submitted that the trial of the offence has not progressed and till date, even charge is not framed against the applicant before the learned trial Court. She further submitted that merely because the applicant has not engaged an Advocate, the same cannot be the ground for not framing the charge against

the present applicant. She, therefore, submitted to allow the present application and enlarge the applicant on bail subject to suitable conditions.

3. Learned APP has opposed the present application contending that the case of the prosecution against the applicant hinges upon the circumstantial evidence and there is a strong circumstance against the present applicant in the form of last seen together. He, therefore, submitted to dismiss the present application.

4. Heard learned Advocates for the parties. The applicant had earlier preferred a Criminal Misc. Application No.9742 of 2025 which was allowed to be withdrawn by this Court vide order dated 09.06.2025. Thereafter, the present successive application is filed by the applicant. Since on the last occasion, a submission was made on behalf of the applicant that the trial has not progressed after the withdrawal of the earlier application filed by the applicant, this Court had asked the learned Trial Court to submit its report as regards the status of trial vide order dated 07.05.2026. Accordingly, the learned Trial Court has submitted its report as regards the status of trial which indicates that, till date, the applicant has not engaged an Advocate for his defense and therefore, the trial of the offence has not progressed any further.

5. So far as the aspect of merits is concerned, as submitted by the learned APP, there is a strong circumstance of last seen together available on record against the present applicant. Having regard to these aspects, no case is made out to exercise discretion in favour of the applicant. Hence, the matter stands dismissed.

(M. R. MENGDEY,J)

RAVI OZA