

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR REGULAR BAIL - AFTER
CHARGESHEET) NO. 9739 of 2026

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KIRAN @GANDO RATILAL CHUNARA
Versus
STATE OF GUJARAT & ANR.

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Appearance:

MR AKASHKUMAR H PATEL(12877) for the Applicant(s) No. 1
MR. AAINUL U MANSURI(17284) for the Applicant(s) No. 1
MR LAXMANSINH M ZALA(5787) for the Respondent(s) No. 2
MS. DIPALIBEN K. VAGHELA(20316) for the Respondent(s) No. 2
MR JK SHAH ADDL. PUBLIC PROSECUTOR for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE NIKHIL S. KARIEL

Date : 08/05/2026

ORAL ORDER

1. Heard learned advocate Mr. Akashkumar Patel appearing on behalf of the applicant, learned Additional Public Prosecutor Mr. J.K. Shah appearing on behalf of the respondent-State and learned advocate Mr. Devansh Kakkad for learned advocate MR. L.M. Zala for the respondent No.2.

2. Rule. Learned APP waives service of rule on behalf of the respondent-State and learned advocate Mr. Zala waives service of Rule on behalf of the respondent No.2.

3. The applicant having been arraigned as an accused in C.R. No.11192050230694 of 2023 registered with Sanand Police Station, Dist. Ahmedabad (Rural) and having arrested in connection with same, had been enlarged on regular bail by the learned Sessions Court vide order dated

19.12.2013 in Criminal Misc. Application No.4485 of 2023 and whereas since the applicant did not attend the trial regularly, it appears that the learned Sessions Court had issued a Non-Bailable Warrant and the applicant having been arrested. The applicant having approached the learned Sessions Court. The learned Sessions Court having rejected the application, the applicant has approached this Court by way of this application.

4. Learned AGP Mr. J.K. Shah and learned advocate Mr. Kakkad have strongly opposed this application.

5. I have heard learned advocates appearing on behalf of the respective parties and perused the papers. Following aspects are considered:-

- (i) The fact of the applicant having been released in substantive offence.
- (ii) The fact that the applicant is an accused in different offence and whereas the applicant was in custody in connection with the said offence and hence, he could not attend the trial.
- (iii) The role attributed to the applicant in the present case being an abettor and not the main accused.
- (iv) learned advocate Mr. Patel for the applicant would submit that the applicant is ready and willing to deposit an amount of Rs.50,000/- before the learned trial Court as a surety to attend the trial.

6. 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.

7. Hence, the present application is allowed. The applicant is ordered to be released on bail in connection with F.I.R. registered as C.R. No. 11192050230694 of 2023 registered with Sanand Police Station, Dist. Ahmedabad (Rural), on depositing Rs.50,000/- (Rupees Fifty Thousand Only) as a pre-condition of his release on bail with the learned Trial Court and 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 passport, if any, to the lower court within a week;

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

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

(f) to attend the trial regularly.

(g) In case the applicant does not remain present in the trial without any reasonable cause for two consecutive dates, more particularly without any application for exemption, then it would be open for the learned trial Court to appropriate the amount deposited. In case the present applicant attends the trial regularly, irrespective of the final outcome, the amount in question shall be returned back to the applicant.

8. 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 free to take appropriate action in the matter.

9. Bail bond to 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.

10. At the stage of trial, the trial 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 considering the application of the applicant for being released on regular bail.

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

Y.N. VYAS

(NIKHIL S. KARIEL,J)