

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR REGULAR BAIL - AFTER CHARGESHEET) NO. 15152 of 2026**

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DEVRAJBHAI VALJIBHAI GOHIL

Versus

STATE OF GUJARAT

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Appearance:

MR KISHAN K NAYI(13080) for the Applicant(s) No. 1

MR HARDIK MEHTA, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR**Date : 07/07/2026****ORDER**

- 1) **RULE.** Learned APP waives service of notice of Rule on behalf of respondent – State of Gujarat.
- 2) By way of present Criminal Misc. Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (which shall hereinafter be referred to as “**BNSS**”) challenging the order dated 15.06.2026 passed by the learned 2nd Additional Sessions Judge, Rajkot in Criminal Misc. Application No.1846 of 2026, whereby the learned Judge has rejected the application filed by the present applicant under Section 483 of the BNSS seeking regular bail in connection with nonailable warrant issued against the applicant.
- 3) Heard learned Advocate for the applicant and learned APP for the respondent – State.

- 4) Perusing the record it appears that the applicant was arrested in connection with the **FIR No.11208044230993 of 2023** registered with **Pradhyuman Nagar Police Station, Rajkot City** for the offences punishable under Sections 406, 376(2)(n), 504 and 506(2) of the Indian Penal Code. In the said connection the applicant was released on regular bail vide order dated 05.07.2024 in Criminal Misc. Application No.12544 of 2024, by this Hon'ble Court. Thereafter, charge-sheet was filed which was culminated into Sessions Case No.40 of 2024. Trial was commenced and during the trial of the Sessions Case due to the applicant was arrested in another offence, the applicant failed to attend the Court proceeding of Sessions Case and therefore non bailable warrant was issued against the applicant. Therefore, on execution of the non bailable warrant the applicant came to be arrested and hence he has filed bail application which came to be dismissed by the learned Sessions Judge. Being aggrieved by the same the applicant has filed the present bail application.
- 5) Furthermore, the present applicant remained absconded since 15.09.2025 and the trial was protracted. However, now the learned Advocate for the applicant has submitted that the applicant is ready and willing to attend the court proceedings and now he will remain present during the trial. Therefore, in view of above, with stringent conditions the present application deserves consideration.
- 6) Hence, the present application is **allowed**. The applicant is ordered to be released on regular bail on executing a personal bond of Rs.25,000/- (Rupees Twenty-five Thousand only) with

one solvent surety to the satisfaction of the trial Court and subject to the conditions that he shall;

- (a) not leave the State of Gujarat without prior permission of the trial Court concerned;
 - (b) **during the pendency of the Sessions Case he shall appear before the trial Court on each and every date of hearing;**
 - (c) **furnish the present address of his residence to the Investigating Officer and also to the Court at the time of execution of the bond and shall not change the residence without prior permission of Trial Court;**
 - (d) not act in a manner injurious to the interest of the prosecution & shall not obstruct or hamper the police investigation and shall not to play mischief with the evidence collected or yet to be collected by the police;
- 7) The learned Sessions Judge will be at liberty to impose other suitable conditions in order to secure presence of the applicant during the trial.
- 8) 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 will be free to issue warrant or 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 trial, the trial Court shall not be influenced by the observations of preliminary nature qua the evidence at this stage made by this Court while enlarging the applicant on bail.
- 11) Rule is made absolute to the aforesaid extent. Direct service is permitted.

ANKIT JANSARI

(HASMUKH D. SUTHAR,J)