

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR SUCCESSIVE REGULAR BAIL -
AFTER CHARGESHEET) NO. 15898 of 2026**

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MILANBHAI MANILAL PATEL
Versus
STATE OF GUJARAT

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Appearance:

MR P P MAJMUDAR(5284) for the Applicant(s) No. 1

MS. JIRGA JHAVERI, APP, for the Respondent(s) No. 1

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**CORAM:HONOURABLE MR.JUSTICE UTKARSH THAKORBHAI
DESAI**

Date : 31/07/2026

ORAL ORDER

1. Heard learned advocate for the applicant and learned Additional Public Prosecutor appearing on behalf of the respondent-State.
2. **Rule.** Learned APP waives service of rule on behalf of the respondent-State.
3. 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 C.R. No. 11201018250010 of 2025 registered with Gandhinagar CID Cyber Crime Police Station, District Gandhinagar for the offence punishable under Sections 316(2), 316(5) and 61(2) of the BNS,

2023, Sections 21(3), 23 and 25(1) of the Banning of Unregulated Deposit Schemes Act, 2019 and Sections 66(c) and 66(d) of the I.T. Act, 2000.

4. Learned advocate for the applicant would submit that, considering the role attributed to the applicant, and nature of the allegation levelled, the applicant may be enlarged on regular bail. It is further submitted that, since the charge-sheet is filed, further incarceration of the applicant will not benefit the Investigation Officer in any manner. 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.

5. As against the same, learned Additional Public Prosecutor appearing for the respondent – State has vehemently objected to the grant of regular bail. Learned APP has submitted that looking to the nature of offence and the role attributed to the present applicant as coming out from the charge-sheet, this Court may not exercise discretion in favour of the applicant and the application may be dismissed.

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

i. The applicant is a permanent resident of Mehasana district, hence would be available at the time of trial;

ii. The investigation is over and charge-sheet has been filed;

iii. The applicant does not have any criminal antecedents;

iv. Learned advocate Mr. P.P. Majmudar for the applicant upon instruction submits that, the trial before the learned competent court has not commenced and is pending on the stage of case for prosecution;

v. As per the case of the prosecution, the applicant had got an account opened in the name of his driver Rakesh Jaitaram Raval, vide a firm name Shri Agro wherein, a fraudulent transfer of Rs. 25,00,100/- was effected, the said amount was withdrawn by the applicant and passed on to co-accused Justin alias Raj alias Illesh Patel for which he had received commission;

vi. The role of the applicant and the role of the co-accused Vipul Bhemabhai Prajapati and co-accused Manish Vijaykumar Thakur are at par with the roles of the present applicant;

vii. The co-accused Vipul Bhemabhai and co-accused Manish Vijaykumar Thakur have been considered for regular bail vide orders passed in Cr.M.A. Nos. 10898 of 2026 dated 08.05.2026

and 13324 of 2026 dated 03.07.2026;

viii. The apprehension of the learned APP, as regards the non-availability of the applicant during the trial can be put to rest by imposing stringent conditions.

This Court has 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.

7. 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.

8. 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. 11201018250010 of 2025 registered with Gandhinagar CID Cyber Crime Police Station, District Gandhinagar, on executing a bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount

to the satisfaction of the trial Court and subject to the 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) mark presence before the concerned Police Station once in a month for a period of six months between 11:00 a.m. and 2.00 pm.;

(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;

9. 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 at liberty to take appropriate action in accordance with law.

10. Bail bond to be executed before the trial 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.

11. At the stage of trial, the competent 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 enlarging the applicant on regular bail.

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

ANIRUDH OJHA

(UTKARSH THAKORBHAI DESAI, J)