IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/CRIMINAL MISC.APPLICATION (FOR ANTICIPATORY BAIL) NO. 19819 of 2025

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SANKETKUMAR SURESHBHAI PATEL
Versus
STATE OF GUJARAT

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Appearance:
MR. VASIMRAJA A KURESHI(8609) for the Applicant(s) No. 1
MR. HARDIK SONI APP for the Respondent(s) No. 1

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CORAM:**HONOURABLE MR. JUSTICE DIVYESH A. JOSHI**

Date : 03/10/2025

ORAL ORDER

When the matter is taken up for hearing, learned advocate Mr. Vasimraja Kureshi for the applicant submits that the offences are punishable with maximum imprisonment upto 7 years. He, therefore, under instructions, submits that the applicant will remain present before the concerned investigating officer on 09.10.2025.

On the other hand, Learned APP submits that necessary investigation will be carried out on remaining present of the applicant in compliance with the provisions of Section 35 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (“BNSS” for short) as also as per the directions issued by the Hon’ble Supreme Court.

Having considered the submissions and the documents produced on record, it is found out that the offences alleged are punishable with maximum imprisonment upto 7 years and

if the applicant so appears, the Investigating Officer is directed to scrupulously follow the proposition of law as settled by the Hon'ble Supreme Court in the case of **Arnesh Kumar Vs. State of Bihar**, reported in **(2014) 8 SCC 273**, in case of **Satender Kumar Antil Vs. Central Bureau of Investigation & Anr.,** reported in **(2022) 10 SCC 51** and in case of **Md. Asfak Alam Vs. State of Jharkhand & Anr.**, reported in **2023 SCC OnLine SC 892** and also inform about the grounds of arrest, if needed, to learned Magistrate and even the learned Magistrate before mechanically authorizing the detention of the applicant shall follow the dictum of the Hon'ble Supreme Court in the aforesaid decisions.

The applicant shall remain present before the concerned investigating officer on 09.10.2025.

In view of the above, the present application stands disposed of. Direct service is permitted.

(DIVYESH A. JOSHI,J)

AMIT ITALIAN

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: AMIT DAHYABHAI ITALIAN(HCW0112), ENGLISH STENOGRAPHER GRADE I, at High Court of Gujarat on 03/10/2025 18:04:05