

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR REGULAR BAIL - AFTER
CHARGESHEET) NO. 20475 of 2025**

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DASHARATH MUNILAL MAURYA

Versus

STATE OF GUJARAT

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Appearance:

MR AFTABHUSEN ANSARI(5320) for the Applicant(s) No. 1

MR. DHAWAN JAYSWAL, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE M. R. MENGDEY**Date : 07/10/2025****ORAL 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.11214070250454 of 2025 registered with Bardoli Rural Police Station, Surat Rural for the offences punishable under Sections 103(1), 238(a), 308(2), 115(2), 127(2), 189(2), 191(2) and 54 of the Bharatiya Nyaya Sanhita, 2023.

2. Learned Advocate appearing for the applicant submitted that the present applicant has been arrested in connection with the present offence on 01.06.2025 and since then, he is in custody. The applicant has been arraigned as an accused in the present offence only on the basis of the conjectures and surmises. There is no other material connecting the applicant with the offence in question except the Arrest Panchnama of the present applicant. The applicant was merely working as a laborer in the orchard where the incident alleged in the FIR had taken place. At best, the applicant can be said to be a witness to the

incident and not the accused. He has further submitted that the applicant has good reputation in the society and no useful purpose would be served by keeping the applicant in Jail for indefinite period. 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.

3. Per contra, learned APP has opposed the present application for grant of regular bail by contending that the applicant had actively participated in commission of the offence in question. The applicant was very much present at the scene of the offence at the time of incident. Learned APP has therefore submitted that looking to the nature of offence, this Court may not exercise the discretion in favour of the applicant and the application may be dismissed.

4. Heard learned Advocates for the parties and perused the record. From the material available on record, it appears that the deceased was working as a laborer in the mango orchard and it was alleged that the deceased with the other laborer had sold the mangoes behind the back of the owner of the said orchard, and therefore, the deceased was tied with a mango tree and thereafter, the present applicant and the other co-accused had mercilessly beaten the deceased with wooden stick and because of the injuries caused to him in the said assault, the deceased had succumbed to those injuries and had died. The material available on record also indicates that the present applicant was very much present the scene of offence at the time of incident and had actively participated in the offence. Having regard to these aspects, no case is made out. Hence, the present application is dismissed.

(M. R. MENGDEY,J)

RAVI OZA

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: RAVI OZA(HCW0111), ENGLISH STENOGRAPHER GRADE I, at High Court of Gujarat on 07/10/2025 18:25:08