**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**
**R/CRIMINAL MISC.APPLICATION (FOR REGULAR BAIL - AFTER CHARGESHEET) NO. 1157 of 2026**

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MANJUBEN W/O VIJAYBHAI PARMAR (MANJUBEN W/O VIJAYBHAI PARMAR/DEVIPUJAK- AS PER CHARGE SHEET)

Versus

STATE OF GUJARAT

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Appearance:
MR S D MOGHARIYA(11273) for the Applicant(s) No. 1
MR KM ANTANI, APP for the Respondent(s) No. 1

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CORAM:**HONOURABLE MR. JUSTICE NIKHIL S. KARIEL**

**Date : 16/01/2026**

**ORAL ORDER**

1. Heard learned advocate Mr.S.D. Moghariya appearing on behalf of the applicant and learned Additional Public Prosecutor Mr.Antani 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. 11189003251580 of 2025** registered with '**A' Division Morbi City Police Station, Morbi,** for offences punishable under Sections 103(1), 118(2), 115(2), 189(2), 189(4), 191(2), 191(3) and 190 of Bhartiya Nyaya Sanhita and Section 135 of the GP Act.

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 charge-sheet is filed, 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.

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 the 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 papers. Following aspects are considered:-

i. Though the offence alleged in the FIR is serious, i.e. one punishable under Section 103(1) of the BNS, yet it would appear that only a very limited role is attributed to the present applicant;

ii. The fact of the applicant is stated to have given kick and

feast blows to Complainant and the injured victim, and not to the deceased;

iii. The fact of the deceased having been assaulted by other co-accused using sharp-edged weapons, which resulted in his death;

iv. The fact of the applicant being a lady accused, aged around 24 years, without any antecedents;

v. Applicant is in jail since 28.08.2025 and the Investigating Officer having laid the charge-sheet;

7. 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**.

8. In the facts and circumstances of the case and considering the nature of the allegations made against 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.

9. 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. 11189003251580 of 2025 registered with 'A'**

**Division Morbi City Police Station, Morbi**, 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 she 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] not to enter Morbi District for a period of six months from the date of this order;*

10. The Authorities will release the applicant only if she 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.

11. 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.

12. 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.

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

**(NIKHIL S. KARIEL,J)**

KUMAR ALOK

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: ALOK KUMAR(HC01091), PRIVATE SECRETARY, at High Court of Gujarat on 17/01/2026 13:35:08