

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR REGULAR BAIL - AFTER
CHARGESHEET) NO. 7843 of 2026

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ANANANADKUMAR @ SHIVRAM MANGAL DAS
Versus
STATE OF GUJARAT & ANR.

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Appearance:

MR SAGAR D VAGHASIYA(13308) for the Applicant(s) No. 1
MS JIRGA JHAVERI, APP for the Respondent(s) No. 1
MR JAY R. RIBADIYA for the Respondent(s) No. 2

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CORAM: HONOURABLE MR.JUSTICE UTKARSH THAKORBHAI
DESAI

Date : 07/04/2026

ORAL ORDER

1. Heard learned advocate appearing on behalf of the applicant and learned Additional Public Prosecutor appearing on behalf of the respondent-State.
2. Mr. Jay R. Ribadiya, learned advocate is permitted to file his vakalatnama on behalf of the original complainant – respondent No.2.
3. **Rule.** Learned APP waives service of rule on behalf of the respondent-State.

4. 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. 11210008250807 of 2025 registered with Sarthana Police Station, District Surat for the offence punishable under Section 137(2), 75(2), 87, 64(2)(M) and 332(A) of the Bharatiya Nyaya Sanhita, 2023 and under Section 3(A), 4, 5(L), 6, 8, 9(L), 10 & 12 of The Protection of Children from Sexual Offenses Act, 2012.

5. 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.

6. Learned advocate for the applicant, upon

instructions, submitted that the applicant will not leave the State of Gujarat till the trial is over.

7. 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.

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

- i. The applicant was a permanent resident of Puna, Maharashtra and he would be available at the time of trial;
- ii. The applicant does not have any criminal antecedents;
- iii. The original complainant who is the father of the

victim is present before the Court. He has submitted his affidavit, which is taken on record. He has affirmed the averments of the said affidavit and has submitted that, his daughter as well as the applicant, both, hail from the same community, and it has been decided by the elders of both the families that, the victim who is aged 17 years, 6 months, upon completion of 18 years would be marrying the applicant.

iv. The apprehension of the learned APP regarding non-availability of the applicant at the time of trial can be put to rest by imposing stringent conditions.

v. Further, the investigation is completed and charge-sheet has been filed.

9. 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.

10. 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.

11. Hence, the applicant is ordered to be released on bail in connection with F.I.R. registered as C.R. No. 11210008250807 of 2025 registered with Sarthana Police Station, District Surat, on executing a bail bond of Rs.25,000/- (Rupees Twenty Five Thousand only) with one surety of the like amount to the satisfaction of the trial Court and subject to the conditions that he 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 his passport, if any, to the trial court within a week, and if he does not possess a passport, he shall file an affidavit to that effect;

[d] furnish the present address of his residence to the I.O. and to the Court at the time of execution of the bond and shall not change his residence without prior intimation to the I.O. and the court;

[e] not indulge in similar kind of offence hereinafter, for which, he shall file an affidavit before the concerned court and the police station.

[f] not leave the State of Gujarat without prior permission of the Trial Court concerned;

12. 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.

13. 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.

14. 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. The application is allowed in the aforesaid terms. Rule is

made absolute to the aforesaid extent. Direct service is permitted.

(UTKARSH THAKORBHAI DESAI, J)

MAYA

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: MAYA SHANKERLAL CHAUHAN(HC01402), PRIVATE SECRETARY, at High Court of Gujarat on 08/04/2026 15:53:03