

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/CRIMINAL MISC.APPLICATION (FOR REGULAR BAIL - AFTER
CHARGESHEET) NO. 7914 of 2026**

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LALJIBHAI SAH MJIBHAI DEGAMA
Versus
STATE OF GUJARAT

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Appearance:

MR N H PARMAR(11277) for the Applicant(s) No. 1
MR. MH SHEKHAWAT(7194) for the Applicant(s) No. 1
MR.JIRGA JHAVERI, APP for the Respondent(s) No. 1

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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. **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. 11189010250012 of 2025 registered with Cyber Crime Police Station, Morbi,

for the offence punishable under Sections 111(2)(B), 316(5), 318(4), 61(2), 317(2) and 54 of the BNS.

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. Learned advocate upon instructions submits that the applicant will remain within the State of Gujarat during the trial.

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 papers. Following aspects are considered:-

- i. The applicant is a permanent resident of District:Morbi, hence, would be available at the time of trial.
- ii. The applicant does not have any criminal antecedent.
- iii. The investigation is over and charge-sheet is filed.
- iv. As per the prosecution case, the applicant provided his bank account for depositing the Cyber fraud monies and he had received Rs.2,54,560/- in his said account out of which he had withdrawn Rs.2,50,000/- and had given the said amount to accused no.4-Gopal Upsariya,

for which, he had received commission of Rs.25,000/-.

v. The apprehension of the learned APP about the applicant, after being granted bail, would indulge in such or similar offense, 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 FIR being C.R. No. 11189010250012 of 2025 registered with Cyber Crime Police Station, Morbi, on executing a bail bond of Rs.25,000/- (Rupees Twenty Five Thousand only) with one local 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 passport, if any, to the lower court within a week, and if he does not possess a passport, he shall file an affidavit to that effect;

[d] not leave the State of Gujarat without prior permission of the Sessions Court concerned;

[e] furnish the present address of his residence to the I.O. and also to the Court at the time of execution of the bond along with documentary proof and shall not change his residence without prior intimation to the

I.O. and the court;

[f] not to leave Morbi District till the trial is over;

[g] mark presence on every Sunday before the concerned police station till the trial is over.

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

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 Court concerned will be at liberty to take appropriate action in accordance with law.

10. Bail bond to be executed before the competent 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.

(UTKARSH THAKORBHAI DESAI, J)

ANKIT SHAH

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: ANKIT PRADIPKUMAR SHAH(HC01063), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 07/04/2026 18:24:18