

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/CRIMINAL MISC.APPLICATION (FOR SUCCESSIVE REGULAR BAIL -
AFTER CHARGESHEET) NO. 13811 of 2026**

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DHAVAL @ BOBO GOPALBHAI MACHI
Versus
STATE OF GUJARAT

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Appearance:

MR IH SYED, SENIOR ADVOCATE with
MS SHREYA OJHA(14681) for the Applicant(s) No. 1
MR HARDIK SONI ADDL. PUBLIC PROSECUTOR for the Respondent(s)
No. 1
MR TEJAS BAROT, SENIOR ADVOCATE with
MR JINEESH VADODARIA for Original Complainant.

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CORAM:HONOURABLE MR. JUSTICE NIKHIL S. KARIEL

Date : 24/06/2026

ORAL ORDER

1. Heard learned Senior Advocate Mr.I.H.Syed with learned advocate Ms. Shreya Ojha appearing on behalf of the applicant and learned Additional Public Prosecutor Mr.Hardik Soni appearing on behalf of the respondent-State.

2. Learned advocate Mr. Jineesh Vadodaria submits that he has instruction to appear for the first informant and that he may be permitted to file his Vakalatnama.



3. Permission granted.

4. **Rule.** Learned APP waives service of rule on behalf of the respondent-State and learned advocate Mr. Vadodaria waives service of rule on behalf of respondent – original complainant.

5. 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. 11215037250630 of 2025 registered with Vidhyanagar Police Station, District: Anand** for the offence punishable under Sections 189(2), 191(2), 193(3), 190, 109, 118(1), 115(2), 352, 351(3), 324(4) of the BNS Act.

6. 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 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.



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 the 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. Allegation being that the accused, had assaulted the complainant party, more particularly, it would appear that the incident happened when the complainant party had an altercation with a person residing in the same society over feeding the stray dogs and the person residing in the society having called certain outsiders, who had come and assaulted and the complainant party.

ii. Allegation against the present applicant being that the applicant had coordinated the part with regard to bringing of the persons, who had assaulted the complainant party. It also appears that present applicant may be the primary accused, having assaulted the victims with a wooden stick etc.

iii. As against the same, this Court has also considered the fact that the present applicant is in custody since the 05.10.2025,



charge-sheet is filed and whereas while the applicant is stated to have 10 antecedents, learned Senior Advocate Mr. Syed has tendered a chart which would show that out of the 10 in 08, the applicant has been acquitted, in one which is under the Gambling Act, the applicant has been imposed with a fine of Rs.500 and one serious offence, under Section 307, the applicant has been released on bail.

iv. Having regard to such an aspect, while this Court is inclined to consider this application yet, having regard to the fact that this is the second offence under old section 307 against the present applicant under the very police station, appropriate safeguards are required to be imposed.

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.

9. 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.

10. 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. 11215037250630 of 2025 registered with Vidhyanagar**



Police Station, District: Anand, on executing a bond of Rs.1,00,000/- (Rupees One Lakh 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 passport, if any, to the lower court within a week;

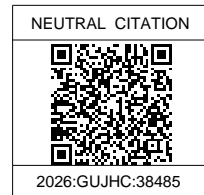
[d] not leave the State of Gujarat without prior permission of the Sessions Court concerned;

[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] shall not enter the limits of District: Anand for a period of six months;

[g] mark presence once in a month for a period of six months before the **Chaklasi police station**.

11. 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 free to take appropriate action in the matter.



12. 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.

13. 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.

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

(NIKHIL S. KARIEL,J)

NAIR SMITA V./12-SB