

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR REGULAR BAIL - AFTER
CHARGESHEET) NO. 25287 of 2025

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RAKSHIT RAVISH CHORASIYA S/O RAVISH CHORASIYA
Versus
STATE OF GUJARAT

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Appearance:
SHAISHAV S PANDIT(7363) for the Applicant(s) No. 1
MR JAY MEHTA, ADDL. PUBLIC PROSECUTOR for the Respondent(s) No.
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CORAM:HONOURABLE MR. JUSTICE NIKHIL S. KARIEL

Date : 22/12/2025

ORAL ORDER

1. Heard learned advocate Mr.Bhadrish Raju with learned advocate Mr.Shaishav Pandit appearing on behalf of the applicant and learned Additional Public Prosecutor Mr.Jay Mehta appearing on behalf of the respondent-State.

1.1. Learned advocate Mr.Moulesh A. Vyas submits that he has instructions to appear on behalf of the original complainant and that he may be permitted to file his Vakalatnama. Permission is granted.

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.11196027250115/2025 registered with Karelibaug Police Station, Vadodara City for the offence punishable under Sections 105, 281, 125(a), 125(b), 324(5), 54 of the BNS and Sections 134, 177, 184, 185 of the Motor Vehicle 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 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.

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.

5.1. Learned advocate Mr.Vyas appearing for the complainant has vehemently objected the present application.

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

- i. The fact of the applicant alleged to have committed offence punishable under Sections 105 etc. of the BNS and under Sections 134, 177 etc. of the M.V.Act.
- ii. The fact that the applicant appears to be a young person aged around 23 years and whereas, while the offence concerned is very serious, where the allegation being that the applicant has collided with the three vehicles causing injuries to 9 persons and causing death of 1 person, yet, to this Court, it would appear that the present applicant being in custody since 14.03.2025 and the charge-sheet having been laid on 10.06.2025, the case of the present applicant for release requires to be considered.
- iii. Learned APP Mr.Mehta also emphasized on the fact that

the applicant had uttered certain words after the accident had happened and whereas, it also appears that an offence punishable under Section 27(A) of the NDPS Act having been filed, more particularly, the allegation being that the applicant was under influence of THC (Tetra Hydro Cannabinol) and Codeine at the time of the offence.

iv. The fact that the applicant is stated to be a 23 year old student, without any antecedents except the two referred to hereinabove and whereas, since it appears that the case against the present applicant predominantly is with regard to having committed offence under Section 105 of the BNS, and having considered the fact that the applicant is in custody since 9 months, to this Court, at this stage, interference is required albeit with appropriate safeguards more particularly to allay the apprehension expressed by learned APP.

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 F.I.R. registered as C.R. No.11196027250115/2025 registered with Karelibaug Police Station, Vadodara City, 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 proposed 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] mark presence once every fortnight for a period of six months and thereafter, once a month till the trial commences, before the concerned 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 Sessions Court concerned will be free to take appropriate action in the matter.

10. 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.

11. 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.

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

Bhoomi

(NIKHIL S. KARIEL,J)