**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**

**R/CRIMINAL MISC.APPLICATION (FOR REGULAR BAIL) NO. 21064 of 2026**

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RAMU @ PREMBABA VERMA (KATHERIYA)

Versus

STATE OF GUJARAT & ANR.

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Appearance:
HCLS COMMITTEE(4998) for the Applicant(s) No. 1
KURVEN K DESAI(7786) for the Applicant(s) No. 1
MS JYOTI BHATT, APP for the Respondent(s) No. 1

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CORAM:**HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR**

**Date : 14/10/2026**

**ORDER**

1) **RULE**. Learned APP waives service of rule for the respondent-State.

2) The present application is filed through Jail, under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short "BNSS") for regular bail in connection with FIR being **C.R. No.13 of 2001** registered with **Danilimda Police Station, Ahmedabad City** for the offences under Sections 302, 392, 397, 460, 120B and 34 of the Indian Penal Code.

3) The applicant has been provided Legal Aid and Learned advocate Mr. Kurven K. Desai, is appearing on behalf of the applicant. Learned Advocate for the applicant has submitted that applicant is innocent and has been falsely implicated in the offence and now nothing is required to be recovered or discovered. He therefore submits that, considering the nature of the offence, the applicant may be enlarged on regular bail by imposing suitable conditions.

4) Learned APP appearing on behalf of the respondent-State has opposed the present application and requested to dismiss the

present application for regular bail on the ground that the applicant is involved in the present offence and played an active role. There is every possibility that, if the applicant is released on bail, he will indulge in similar offences and try to tamper with the evidence. Therefore, present application does not deserve consideration.

5) I have heard the learned advocates appearing on behalf of the respective parties and perused the investigation papers. It appears that the applicant is facing serious charge under Sections 302, 392, 397, 460, 120B and 34 of the Indian Penal Code. Considering the involvement of the applicant and the applicant remained absconded for 24 years and trial of co-accused is over. Considering the fact that the applicant is hailing from Uttar Pradesh the possibility of flight risk cannot be ruled out. Considering the aforesaid facts the arguments canvassed by the learned APP for the respondent – State deserves consideration. However, since the trial is getting over and limited witnesses are remained to be examined there is no possibility or any chance to protract or delay the trial.

6) Considering the law laid down in cases of ***Govind Upadhyay vs. Sudarshan*** *reported in* ***2002 (3) SCC 598*** and ***Mahipal Vs. Rajesh Kumar*** *reported in* ***2020 (2) SCC 118,*** this Court do not think it appropriate to exercise its discretion in favour of the accused more particularly considering the role attributed to the accused and considering the involvement in such serious offence punishable under Section 302 of the IPC with life or death sentence. It is also apposite to refer to the decision of the Hon'ble Supreme Court in the case of ***Ajwar vs. Waseem and Another*** *reported in* ***2024 SCC OnLine (SC) 974*** *and* ***Aqeel Ahmed vs. State of Uttar Pradesh and Another*** *reported in* ***2024 SCC OnLine (SC) 499***, wherein the Hon'ble Supreme Court observed thus:

> *"26. While considering as to whether bail ought to be granted in a matter involving a serious criminal offence, the Court*

> *must consider relevant factors like the nature of the accusations made against the accused, the manner in which the crime is alleged to have been committed, the gravity of the offence, the role attributed to the accused, the criminal antecedents of the accused, the probability of tampering of the witnesses and repeating the offence, if the accused are released on bail, the likelihood of the accused being unavailable in the event bail is granted, the possibility of obstructing the proceedings and evading the courts of justice and the overall desirability of releasing the accused on bail."*

7) Considering the aforesaid fact this Court is not inclined to exercise the discretion and accordingly, the present application is hereby **dismissed**. However, learned trial Court is directed to expedite the trial within a period of **15 WEEKS** for which for which the applicant as well as the prosecuting agency shall cooperate. The learned trial Court is directed to scrupulously follow the guidelines issued by the Hon'ble Supreme Court in the case of ***Central Bureau of Investigation Vs. Mir Usman @ Ara @ Mir Usman Ali*** rendered in ***Special Leave to Appeal (Cri.) No.969/2025 dated 22.09.2025*** and expedite the trial.

8) If the applicant fails to engage an Advocate then the applicant shall be provided legal aid under Section 341 of the BNSS for expeditious disposal of the trial in view of the decision of the Hon'ble Supreme Court in the case of ***Ummed Devi vs. The State of Rajasthan and Anr.*** *reported in* ***[2026 INSC 931]***. The applicant is directed to cooperate with the learned trial Court in expeditious disposal of the trial. Rule is hereby discharged.

**(HASMUKH D. SUTHAR,J)**

ANKIT JANSARI

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: ANKIT YOGESHBHAI JANSARI(HCW0109), ENGLISH STENOGRAPHER GRADE ONE, at High Court of Gujarat on 14/10/2026 16:53:28