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Duration :Y M Days
- - 06

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, AHMEDABAD (RURAL)

CRIMINAL MISC. APPLICATION NO.1470 OF 2026

Exh.

APPLICANT/ACCUSED:
Mansinh Shankarlal Damor (Meena)
Age: 43 years, Occupation : Service,
Permanent Resident of: Village : Robiya,
Taluka : Khervada, District : Udepur, Rajasthan.
Presently Residing at : Bhutpurva Bungalow Colony,
Opp. Vikas School, Taluka : Khervada,
District : Udepur, Rajasthan.
(Presently at Sabarmati Central Jail, At. Ahmedabad).

V/s.

OPPONENT :
The State of Gujarat

Sub:Application under Section 483 of The Bhartiya Nagrik Suraksha Sanhita, 2023 seeking regular bail after chargesheet.

Appearance:
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Mr.K.M.Sisodiya, Ld. Advocate for Applicant/accused.
Mr.B.N.Limbachia, Ld. Special Public Prosecutor for Opponent/The State.
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-: J U D G M E N T :-

1. The present application is preferred by the applicant u/s.483 of The Bhartiya Nagrik Suraksha Sanhita, 2023 (hereinafter referred as ‘BNSS’) in connection offence registered

vide C.R.No.11995001250027/2025 with State Monitoring Cell Police Station, Gandhinagar for the offence punishable u/s. 3(1)(2), 3(2), 3(4), 3(5) of The Gujarat Control of Terrorism and Organized Crime Act (hereinafter referred as 'GujCTOC Act') seeking regular bail after chargesheet.

2. Learned Advocate Mr. K.M. Sisodiya appearing on behalf of the applicant/accused submits that, the applicant is innocent and has not committed any offence as alleged by the prosecution. It is submitted that applicant was arrested on 12/01/2026 and thereafter, was produced before the Hon'ble Court whereby, the Hon'ble Court has granted remand of applicant – accused upto 16/01/2026 and after completion of remand period, applicant – accused was sent to judicial custody and since then applicant – accused is in judicial custody. Investigation is concluded in the present case and chargesheet is filed which culminated into GCTOC Case No. 8/2026. If all the 11 FIRs mentioned by the Police in the FIR of present case is perused, it transpires that out of 11 FIRs, applicant – accused is only named in 5 FIRs with other co-accused, so far as rest of the FIRs are concerned, applicant is not named in it. Applicant is falsely implicated in the present offence. No muddamal is recovered from the applicant. There is no prima facie case against the applicant.

2.1 Applicant is sole bread winner of his family, therefore, if the applicant is not enlarged on bail then his family is likely to suffer. Applicant is permanent resident of his native place and possess movable and immovable properties, therefore, the applicant is not likely to flee or abscond, if enlarged on bail. The trial of the case is not likely to conclude in near future, therefore, if the applicant is not enlarged on bail then applicant is likely to suffer pre-trial conviction. Applicant relies on the principle of "*Bail is Rule and Jail is an Exception*". It is submitted that the applicant will abide by any stringent conditions that may be imposed upon while exercising discretion in his favour and the applicant is not likely to tamper the evidence and coerce and/or influence the witnesses of the case. It is accordingly urged to allow present application. In support of his arguments, Learned Advocate for the applicant has relied on the decision of the Hon'ble Supreme Court in case of *"Sanjay Chandra Vs. C.B.I." (2012) 1 SCC 40* to contend that applicant may kindly be enlarged on bail.

3. Learned Special Public Prosecutor Mr.B.N.Limbachia appearing on behalf of the State has vehemently opposed the grant of bail to the present applicant. He submits that the applicant is facing charges of offence under Section 3(1)(2), 3(2), 3(4), 3(5) of The GujCTOC Act. He submits that the accused persons are gang members of organized crime syndicate that commits crimes by acting in connivance with each other. They are members of the gang as specified in sub-clause (f) of sub-section (1) of Section 2 of The GujCTOC Act. The gang members of this organized crime syndicate, have acted in collusion with each other, to fulfill their common intention, committing organized crimes for their own financial benefit. They have established their network either on their own or in collusion with other gang members of the said syndicate in the districts of Sabarkantha, Arvalli, Gandhinagar, Ahmedabad

Rural, and Ahmedabad City in the State of Gujarat. Charge sheets have been filed against this gang in the Court in offences that have been committed over the last five years, of which the Court has taken judicial note. Thus, accused (1) Bhuralal alias Bharat Langdo Udaji Dangi, (2) Sukhlal alias Sakaji alias Shankar Ruplal Dangi (Patel), (3) Mansing Shankarlal Damor (Meena), and (4) Shailesh Indramal Kothari (Jain) have committed crimes by forming organized crime syndicate. The above accused, in collusion with each other, committed the offence by hatching a criminal conspiracy to commit organized Prohibition-related crimes for a long time. Applicant – accused is involved in 6 offences which are executed by syndicate. Additionally, there are 18 offences related to Prohibition Act registered against the applicant in various Police Stations across the State of Gujarat and offences related to foreign liquor under the Excise Act in the State of Rajasthan. Also, there are total 16 serious offences registered against the applicant for murder, kidnapping, rioting etc. in the State of Rajasthan. During his Police custody, applicant has not provided sufficient information relating to offence and co-accused persons which are yet to be arrested. Applicant – accused is involved in such illegal activities for years, and the investigation regarding assets created from the money obtained through this illegal prohibition activity is going on. If the applicant is enlarged on bail, there is possibility that he may dispose of property. The applicant is head strong person, therefore, if the applicant is enlarged on bail, there is also possibility that the applicant will tamper with the evidence and influence and/or coerce prosecution witnesses of the case. On earlier occasion regular bail application preferred by co-accused persons have been rejected by this Hon'ble Court. Regular bail application of co-accused Bhuralal @ Bharat Langdo S/o Udaylalji @ Udaji Dangi preferred by him before the Hon'ble High Court of Gujarat vide R/Criminal Misc. Application (For Regular Bail – After Chargesheet) No.27711/2025 has been withdrawn by the said co-accused on 27/04/2026. Learned Special Public Prosecutor has placed reliance on the affidavit filed by the I.O. (Exh.6) and the grounds stated therein and has urged to reject the application.

4. Heard the learned Advocates for the respective parties. The Court has gone through the bail application, documents annexed with it, judgments relied on, affidavit of the I.O. (Exh.6), and case papers. It is clarified that the observations made by this Court are prima facie and tentative in nature and is confined for deciding this bail application and it will have no relevance during the trial. Following factors are taken into consideration while deciding this bail application:-

i) The applicant is charged for the offence punishable under Section 3(1)(2), 3(2), 3(4), 3(5) of The GujCTOC Act.

ii) As per the prosecution case, the accused persons are members of syndicate committing organized crime and mainly involved in committing offences under Prohibition Act. The accused persons are alleged to have illegally procured large stocks of Indian Made Foreign Liquor (IMFL) from the States of Punjab, Haryana, and Rajasthan. They then allegedly transported such liquor into the State of Gujarat, using both small and large vehicles, often affixing false number plates to evade detection and to facilitate their transport. Thereafter, they delivers such liquor to bootleggers in different cities and districts across State of Gujarat. This systematic operation is asserted to constitute an economic offence by forming organized crime syndicate, through which the accused have allegedly accrued illegal financial benefits and thereby, accused persons have committed the offence.

iii) The applicant is stated to be member of organized crime syndicate. It is stated by the I.O. in his affidavit (Exh.6) that applicant – accused is involved in 6 offences which are executed by syndicate. Moreover, there are 18 offences related to Prohibition Act registered against the applicant in various Police Stations across the State of Gujarat and offences related to foreign liquor under the Excise Act in the State of Rajasthan. There are also total 16 offences registered against the applicant for robbery, murder, kidnapping, extortion, illegal detention etc. It transpires that even after releasing on bail in the aforesaid offences, the applicant has continued his illegal activities of prohibition. I.O. in his affidavit has stated that the offence pertains to inter-state transportation of prohibited liquor in the State of Gujarat.

iv) Investigation reveals the involvement of applicant – accused in commission of the offence and the whatsapp call and chats, UPI transactions would further reveal the nature of monetary transactions showing how the modus operandi was operated by the applicant – accused in transporting the prohibited liquor.

v) It is stated by the prosecution that co-accused – Bhuralal alias Bharat Langdo S/o Udaylalji alias Udaji Dangi who is member of organized crime syndicate had preferred regular bail application after filing of chargesheet before this Court which is rejected by this Court vide order dated 09/12/2025 recorded below CRMA No.3870/2025 and thereafter, said co-accused had preferred regular bail application before the Hon'ble High Court of Gujarat vide R/Criminal Misc. Application (For Regular Bail – After Chargesheet) No.27711/2025 but as the Hon'ble High Court of Gujarat was not inclined to grant the said application, it was withdrawn by the said co-accused on 27/04/2026.

5. In view of facts and circumstances noted herein above, the offences for which the applicant-accused is charged and considering the rigors of Section 20(4) of The GujCTOC Act and the role attributed to the present applicant, this court is not inclined to exercise its discretion at this stage in favour of the applicant-accused and accordingly following order is passed.

-: <u>O R D E R</u> :-

1. The regular bail application of the applicant – accused is **rejected**.

Copy of this order be sent to concerned Jail Authority to convey the same to the applicant.

Pronounced and signed in the open court today.

Date :27/05/2026
Place:Ahmedabad

(Kamal M. Sojitra)
Principal District & Sessions Judge &
Designated Special Judge (GujCTOC)
Ahmedabad (Rural)
U.I.Code No.GJ01494

AVJ