

RECEIVED ON : 20.06.2026
REGISTERED ON: 20.06.2026
DECIDED ON : 29.06.2026
DURATION : 09 Days

**COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE,
DISTRICT ARVALLI AT MODASA.**

Criminal Misc.Appli.No.752 of 2026
Exh.

APPLICANT/ACCUSED:

Mukesh S/o Kamlashankar Hangath
Age: 36, Occupation : Labour
Residence : Karhel Mata Fala, Amjara, Tal.Bichhiwada,
Dist.Dungarpur, Rajasthan.

VERSUS

OPPONENT/RESPONDENT:

The state of Gujarat,
The Notice be serve to the Ld.P.P, Modasa.

APPEARANCES:

1. MR.B.V.CHAUHAN, LD. ADVOCATE FOR THE APPLICANT.
2. MR.J.D.PANCHAL,Ld.Ad.P.P. FOR THE STATE.

**REGULAR BAIL APPLICATION FILED
UNDER SECTION 483 OF THE BNSS-2023.**

J U D G M E N T

- 1 The applicant has filed this application under Section 483 of the BNSS-2023, seeking regular bail in connection with part-C CR.No.0511 of 2025, registered with Tinto Police Station for the offences punishable under Sections 65(a,e),81 and 83 of the Prohibition Act.
- 2 The Notice was issued to other side. Ld.Ad.P.P., representing the State, has appeared before the Court and

filed affidavit of Investigating Officer vide Ex.7 to resist the present application.

- 3 Ld.advocate for the applicant/accused has vehemently argued out that, the applicant is innocent persons and they are falsely implicated in the alleged case. It is further submitted that, nothing has been recovered from possession of the present applicant/accused. It is further submitted that, co-accused have been released on bail by predecessor. The Ld. Advocate has therefore claimed parity. It is submitted that the applicant is ready and willing to abide by any conditions to be imposed upon him. Therefore, the application is requested to be granted.
- 4 While on the other side Ld.Ad.PP opposed this application and submitted that it is alleged that the co-accused had carrying about 948 bottles of prohibited Indian-made foreign liquor/bear, total worth of Rs.2,86,560/-in their car with intention to sell it and caught while interception, whereas the present accused/applicant alleged to have supplied the same and committed the offence. It is further submitted that, considering the nature and gravity of the offence and stringent provisions introduced in the Prohibition Act the present application for bail, deserves to be rejected.
- 5 I have heard the Ld.advocate and Ld.Ad.PP, gone through the application, FIR and all the investigation papers and affidavit sworn by concerned Investigation Officer. It appears from the police papers that nothing is recovered from the possession of the applicant/accused and the name of the applicant/accused is disclosed in the

statement of the main accused. It also appears from the police papers that there is no allegation that the applicant/accused has antecedent of similar nature. Considering above discussion and the ratio laid down by the Hon'ble Apex Court in the case of Sanjay Chandra Vs CBI, reported in the (2012) S.C.C 40 and in the case of Satindar Kumar Antil Vs. CBI reported in (2012) 1 S.C.C 51, and also considering the fact that applicant/accused are in judicial custody since 16/06/2026, I passed following final order:

:- ORDER :-

- 1 The Application under Section 483 of Bharatiya Nagrik Suraksha Sanhita (BNSS), filed by the applicant is hereby stands allowed and ordered to be released on bail with following conditions:-

CONDITIONS :-

- 1] The applicant shall furnish a bond of Rs.50,000/- (Rupees Fifty Thousand Only) with his recent self-attested Photograph and one surety to the satisfaction of the concerned trial Court;
- 2] The applicant shall not take undue advantage of his liberty or abuse his liberty;
- 3] The applicant shall not act in a manner injures to the interest of the prosecution;
- 4] The applicant shall furnish his UID Aadhar details, mobile numbers, address of residence along with residence proof to the Investigating Officer and also to the Court at the time of execution of the bond and

shall not change the residence without prior permission of the Court;

- 5] The applicant shall not temper with the evidence and not make any hurdle in trial proceeding;
- 6] The applicant shall surrender his passport, if any, in the concerned Court within a week otherwise file an affidavit on this effect.
- 7] The applicant shall not leave India without the prior permission of this Court.

Signed and Pronounced in the open Court on this
29th day of June, 2026.

DATE: 29/06/2026

PLACE: MODASA

(Rajkumar Ramsinh Chaudhary)

Sessions Judge

Arvalli at Modasa

CODE NO.GJ01512

MMK