

Filing No.: CRMA-S/189/2026
Filed On: 10/03/2026
Decided On: 13/03/2026
Duration: 0Y-0M-3D

IN THE COURT OF SESSIONS JUDGE, AT BHARUCH

Criminal Misc. Application (for Regular Bail) No.189/2026
Exh. _____

Applicant: Satishbhai Shanabhai Vasava
R/o. Indira Awas Nagari, Amaratpura,
Tal. Ankleshwar, Dist. Bharuch.

V/s.

Opponent: The State of Gujarat

Appearance:
Ld. Advocate Mr. A. M. Valvi, for the applicant.
Ld. APP Ms. N. M. Mistry, for the opponent - State.

Application u/s. 483 of BNSS, 2023

JUDGMENT

1. The present bail application has been preferred by the applicant u/s 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to release him on regular bail in connection with the offences punishable u/s 65(a), 65(e), 81, 98(2) of Gujarat Prohibition Act registered against him vide FIR being C.R. No.11199001260212/2026 before Bharuch City 'C' Division Police Station.

2. Ld. Advocate for the applicant-accused has submitted that, the applicant is innocent and has not committed any offence as alleged by the prosecution and he has been falsely implicated by police in the alleged offence. He has submitted that muddamal liquor is not recovered from the conscious possession of the applicant. He has further submitted that the applicant has not played any role in the commission of the alleged offence and he has been arrested only on the basis of suspicion. He has further submitted that the co-accused has been enlarged on bail by this court, therefore the present applicant/accused should be released on bail on the ground of parity. He has also submitted that most of the investigation is over, and therefore there is no need for custodial interrogation of the applicant. He has also submitted that applicant has no criminal antecedents, and if he is enlarged on bail, he would not flee away from justice. He has further submitted that the applicant is the local resident of Bharuch District and his presence can easily be secured during investigation and trial. He has also submitted that applicant has been arrested on 09.03.2026 and since then he is in judicial custody. Therefore, considering the principle of '*bail is rule and jail is exception*', the applicant may be released on bail.
3. On behalf of the opponent - State, Learned APP Ms. N. M. Mistry appeared and filed affidavit of Investigating Office at **Exh.5**. Ld. APP has submitted that there is prima facie material against the present applicant, as he supplied 200

bottles of Indian made liquor, each containing 3 liter, totaling 600 liters worth Rs.1,20,000/- in Swift Car No.GJ16-BB-1055 to the co-accused for the purpose of selling the same. It is further submitted that if the applicant is released on bail, he may commit the offence of similar nature in future. It is also submitted that in the event of the applicant being released on bail, he may tamper with the evidence. It is therefore submitted that the investigation is in progress and charge-sheet has not been filed, this application may be rejected.

4. Heard the Ld. Advocates for the parties and perused the affidavit of the investigation officer at **Exh.5**. From the perusal of the record, it appears that applicant has been arrested, however muddamal was not recovered from the conscious possession of the applicant. It is required to be noted that the co-accused Divyesh @ Viral Ranjitbhai Vasava has been enlarged on regular bail vide order dated 07.03.2026 passed in CRMA No.154/2026 by this court. Further, as most of the investigation is over, custodial interrogation of the present applicant is not required. Further, the alleged offences are triable by Magistrate Court and looking to the pendency of the Magistrate Court, trial may take long time to conclude. Further, the applicant is a local resident of Bharuch District and therefore, his presence can easily be secured during the trial. Thus, considering the fact that applicant has no criminal antecedents and considering the facts and circumstances of

the present case, this court is inclined to exercise discretion in favour of the applicant by imposing suitable conditions to secure his presence during the investigation and trial. Hence, the following order is passed:-

ORDER

1. The present application is hereby allowed.
2. The present applicant/accused is ordered to be released on bail on furnishing one surety of Rs.15,000/- (Rupees Fifteen Thousand Only) and a personal bond of like amount, in connection with Bharuch City 'C' Division Police Station vide FIR being C.R. No.11199001260212/2026 for the offences punishable u/s 65(a), 65(e), 81, 98(2) of Gujarat Prohibition Act, on the following conditions:-
3. The applicant-accused shall -
 - (i) remain present before the trial court.
 - (ii) not take undue advantage of his liberty or abuse his liberty and shall not involve in such type of offences.
 - (iii) not act in a manner injurious to the interest of the prosecution.
 - (iv) not leave the territorial limits of India without prior permission of concerned trial Court.
 - (v) not tamper with evidence or influence the witnesses concerned.
 - (vi) mark his presence before Bharuch City 'C' Division Police Station on 15th Day of every month between 11:00 am to 2:00 pm till filing of the charge-sheet.
 - (vii) surrender his passport before the lower court within three days. If the applicant does not have passport, he

shall file affidavit to that effect before the lower court.

(viii) furnish present address as well as permanent address to the trial court and concerned police station and shall not change the residence without prior permission of the trial Court.

4. Bail bond be executed before the lower Court.
5. Yadi be sent to Investigating Officer, Bharuch City 'C' Division Police Station and the concerned court.

Signed & Pronounced in the open Court today on 13th March, 2026.

Date: 13/03/2026

(Rajesh Karmadsinh Desai)
Sessions Judge, Bharuch
Code No.GJ0091