

**IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE,
CHHOTAUDEPUR**

Criminal Miscellaneous Application No.165/2026
(Regular Bail before charge-sheet)

Applicant :- **Lalu Juvansing Bhuriya,**
Age: 23 years, Occupation : Agriculture,
R/o. : Bokdiya, Vavdi Faliya,
Taluka :- Kaththivada, District :- Alirajpur (M.P.)
At present :- District Jail Rajpipla.

Versus

Opponent : The State of Gujarat

Appearance:

Mr. N. J. Rathva, learned Advocate for the Applicant.

Ms. S. A. Desai, learned D.G.P. for the Opponent-State.

J U D G M E N T

- 01.** The applicant was arrested on **07/06/2026** in connection with an offence registered vide C.R. **No.11184008240457/2024** before **Rangpur Police Station**, District Chhotaudepur, for the alleged offences punishable under Sections 65(A), 65(E), 98(2), 81 and 83 of the Gujarat Prohibition Act. The applicant seeks relief under Section 483 of the B.N.S.S. for enlargement on regular bail.
- 02.** The **Learned Advocate for the applicant** has made a valiant attempt to justify the grant of reliefs sought for herein on the grounds that looking the complaint, the applicant was not present at the time of raid. The applicant has not committed any such offence and falsely implicated the present offence. The applicant has no any connection with the muddamal liquor. The applicant is earning his livelihood and maintaining his family. There is no evidence to connect the applicant with crime and no document in support of claim that the muddamal is not belongs to applicant. The charges upon the applicant are not of

the nature so as to inflict punishment of life imprisonment or death. The offences is triable by JMFC and punishable maximum for 10 years imprisonment. It is submitted that applicant is not likely to abscond being permanent inhabitant address mentioned in the title clause and is ready and willing to comply with the conditions that may be imposed by the Hon'ble Court and shall co-operate with the investigation. In support of contentions learned advocate has place reliance upon the following judgment :- (i) Sanjay Chandra V/s C.B.I,reported in AIR 2012 S.C 830.

03. Opposing the present application, **learned D.G.P. for the State** submits that, considering the gravity and seriousness of the offence, the applicant-accused does not deserve to be enlarged on bail. It is submitted that the F.I.R. clearly attributes a specific role to the present applicant and directly implicates him in the commission of the alleged offence. It is further submitted that **the offence pertains to the year 2024** and that the applicant remained absconding and could not be apprehended by the investigating agency for a considerable period. In such circumstances, there is every likelihood of the applicant evading the process of law if released on bail. Therefore, it is prayed that the present application be rejected.

04. Investigating Officer has filed his affidavit at **Exhibit-6**, wherein it is submitted that there is direct and sufficient evidence against the applicant/accused. That the muddamal i.e. contraband liquor has been recovered in the present offence which shows his *prima facie* involvement in the alleged crime. **Further, the applicant was arrested after a considerable period of time; therefore, if he is released on bail, there is a likelihood that he may not remain present during the trial**, which may cause delay in the proceedings. Hence, it is prayed to reject this application.

05. I have considered the rival submissions, perused the police papers and the affidavit of the Investigating Officer at Exhibit-6. It transpires that the police seized contraband liquor worth **Rs.1,46,700/- from an Ambulance No.GJ-34-H-5410** and that the prosecution alleges that the said contraband liquor was **loaded by the present applicant-accused**. The F.I.R. came to be registered against the applicant along with the co-accused. Further, the offences alleged against the applicant are not punishable with death or imprisonment for life. It further appears from the record that the applicant was arrested on 07/06/2026 and was subjected to police remand for one day. Thus, the material part of the investigation requiring custodial interrogation of the applicant appears to have been completed. Moreover, the investigation is still in progress and the filing of the charge-sheet is likely to take time. In such circumstances, continued incarceration of the applicant would amount to pre-trial punishment. Further, the affidavit of the Investigating Officer reveals that the applicant does not have any criminal antecedents. Therefore, the possibility of repetition of the offence appears to be remote. Further, his presence during the course of trial can be secured by imposing suitable conditions and there is no material to suggest that he is likely to abscond or evade the process of law. Hence, in the interest of justice, the following order is passed:-

::: O R D E R :::

- (1) The present Regular Bail Application is hereby **allowed**.
- (2) The applicant/accused, namely, **Lalu Juvansing Bhuriya**, is hereby ordered to be released on regular bail in connection with the offence registered with **Rangpur Police Station** vide F.I.R. bearing C.R. **No.11184008240457/2024**, upon furnishing a personal bond of **Rs.10,000/- (Rupees Ten Thousand Only)** with one surety of the like amount, subject to the following conditions:-

- (1) The applicant-accused shall not abscond or jump bail and shall not take undue advantage of the liberty granted to him.
 - (2) The applicant-accused shall not involve himself in any offence of a similar nature in future.
 - (3) The applicant-accused shall remain present before the Trial Court as and when required and shall regularly attend the proceedings during the course of trial.
 - (4) The applicant-accused shall not leave the States of Gujarat and Madhya Pradesh without prior permission of the concerned Court.
 - (5) The applicant-accused shall furnish his permanent residential address along with supporting documents and mobile contact number before the concerned Court within seven days of his release and shall not change the same without prior permission of the Court.
 - (6) The applicant-accused shall make himself available before the Investigating Agency for interrogation/investigation whenever and wherever called for.
 - (7) The applicant-accused shall not act in any manner prejudicial to the interest of the prosecution and shall not directly or indirectly induce, threaten, or promise any person acquainted with the facts of the case so as to dissuade such person from disclosing such facts to the Court or to any Police Officer.
 - (8) At the time of furnishing bail before the concerned Court, the applicant-accused as well as his surety shall produce their latest coloured passport-size photographs along with at least two valid Government identity proofs.
- (3) Bail Bond shall be furnished according to the satisfaction of the Lower Court. Bail is to be given before the concerned Lower Court.

- (4) The Soft Copy of this order to be sent to the Supreintendent of concerned jail by E-mail in accordance with the directions of the Hon'ble Supreme Court of India in SMWP (Criminal) No.4/2021, in RE POLICY STRATEGY FOR GRANT OF BAIL dated 31.01.2023.
- (5) Copy of this order also to be furnished to the concerned Lower Court as well as concerned Police Station.

Pronounced in Open Court today on this 16th Day of June, 2026.

DATE :16/06/2026
CHHOTAUDEPUR.

[S. M. TANK]
PRINCIPAL DISTRICT & SESSIONS JUDGE,
CHHOTAUDEPUR.
UNIQUE CODE NO.GJ00586.