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सत्यमेव जयते

IN THE COURT OF 3RD ADDITIONAL SESSIONS JUDGE,
DAHOD , AT : DAHOD

Criminal Misc. Application No.440/2026
Exh.

APPLICANTS :-		Age (Years)	Occupation	Resident
1.	Kalubhai Maganbhai Bhabhor	36	Agriculture	Nadhelav, Bara na Kuva Faliya, Tal. Garbada, Dist. Dahod.
2.	Mesanbhai Maganbhai Bhabhor	55	Agriculture	" "
3	Amrabhai Jumabhai Meda	45	Agriculture	" "

Versus.

OPPONENT : The State of Gujarat, Gandhinagar.

(Summons through the Public Prosecutor,
Dahod.)

APPEARANCES:

Mr. B. M. Kaydawala, Learned Advocate for the Applicants
Mr. A. K. Parikh, Learned I/c. P. P. for the State

Subject:	Application under Section 483 of Bharatiya Nagrik Suraksha Sanhita 2023 for Regular Bail.
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APPEARANCES :

Mr. B. M. Kaydawala, Learned Advocate for Applicants
Mr. A. K. Parikh, Learned I/c. P. P. for the State.

Subject :- Application under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita 2023 for Regular Bail.

:- J U D G M E N T :-

- (1) Applicants have filed the present application seeking regular bail u/Sec.483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with F. I. R. registered with **Jesawada Police Station Part-B C. R. No.11821049260122/2026** for the offences punishable under Sections 325, 54 of the Bharatiya Nyaya Sanhita, 2023 and Section 5(1)(a), 6(b)(1), 8(2), 8(4), 10 of Animal Preservation (Amendment) Act, 2017 and Section 11(1)(L) of the Animal Cruelty Act and Section 119 of G.P.Act.
- (2) Learned Advocate Mr. B. M. Kaydawala submitted in his arguments that, the applicants are innocent and falsely implicated in this offence. He has further argued that no muddamal has been recovered from the applicants and as per the FIR the muddamal recovered from the place is not

under the ownership of the applicants. Looking to the allegation, no death penalty or life imprisonment has been prescribed for the offences. The previous bail application filed by the applicant being Cr. M. A. No.188/2026 was rejected by this Court as investigation was going on but now, the investigation is over and charge-sheet has already been filed before the Court. So, no investigation remains to be carried out now and no physical presence of accused is necessary for the investigation. No further evidence is collected by the Investigating Officer against the applicant. Therefore, the applicants deserves bail in such change of circumstances and it is prayed for accordingly.

- (4) Per contra, learned I/c. P. P. Mr. A. K. Parikh on behalf of the State has argued that, the applicants are committed serious offences punishable U/s. Sections 325, 54 of the Bharatiya Nyaya Sanhita, 2023 and Section 5(1)(a), 6(b) (1), 8(2), 8(4), 10 of Animal Preservation (Amendment) Act, 2017 and Section 11(1)(L) of the Animal Cruelty Act and Section 119 of G.P.Act. and there is no valid ground to release the accused-applicant on regular bail. He has further argued that if the the applicants are enlarged on bail then there is likelihood of repetition of the offence, hence, he has prayed to reject the bail application.
- (5) I have heard the learned Advocate for the applicant and the learned P.P. for the State and have perused affidavit filed by the Investigating Officer as well as charge-sheet papers. On perusal of the charge-sheet papers, it prima-facie

appears that on the basis of secret information, Jesawada Police raided the place of offence, and found meat weighing 22 kg, the sample sent to FSL, Surat and as per opinion of FSL, Surat the meat sent for opinion is beef product.

- (6) Looking to the entire charge-sheet papers, earlier bail application was rejected during the course of investigation and the applicant has withdrawn the bail application filed before the Hon'ble High Court but the investigation is over now and charge-sheet is already filed before the Court, therefore, presence of the applicant is no longer needed for investigation purpose. Now, the charge-sheet is filed before the Court, which is registered as Sessions Case No.29/2026. No antecedent is pointed out by the Investigating Officer in his affidavit. Looking to the allegation made against the applicant, no death penalty or life imprisonment has been prescribed for the alleged offence. Having regard to the nature of offence, it appears that the trial against the applicant will take time. The applicant is in jail since 15.02.2026. The applicants are resides at the address shown in clause-title of the bail application and their presence during the course of trial can be made available by imposing certain conditions. In these facts & change of circumstances and having considered the principles laid down by the Honourable Supreme Court in the case of **Sanjay Chandra Vs. C. B. I. (Supra)** and in the case of **Satender Kumar Antil V/s. CBI (Supra)**, this Court

deems it fit to enlarge the applicant-accused on bail with stringent conditions. Hence, following order ensues.

-: ORDER :-

1. The present bail application filed by applicants under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Jesawada Police Station Part-B C. R. No.11821049260122/2026** for the offences punishable under Sections 325, 54 of the Bharatiya Nyaya Sanhita, 2023 and Section 5(1)(a), 6(b)(1), 8(2), 8(4), 10 of Animal Preservation (Amendment) Act, 2017 and Section 11(1)(L) of the Animal Cruelty Act and Section 119 of G.P.Act is hereby **allowed**.
2. The applicants - accused are hereby ordered to be released on regular bail on furnishing a surety of **Rs.15,000/-** (Rupees Fifteen Thousand only) and personal bond of like amount on following conditions.

Conditions :-

- (A) The applicants shall not hamper or tamper with the prosecution evidence and witnesses;
- (B) The applicants shall remain present before the Court regularly on the date of criminal case registered against him.
- (C) The applicants shall not leave the territory of India without prior permission of the Court;
- (D) The applicants shall surrender their passport with the Trial Court within seven days from the date of this

order. If they do not possess passport, then they will file affidavit to that effect;

(E) The applicants shall produce the proof of their permanent residence at the time of furnishing the bail bond and shall not change their address without prior permission of the Court.

3. Bail bond be executed before the learned trial Court.
4. Yadi be sent to the concerned Court.
5. PDF Copy of the order be sent to the concerned Jail Authority through email to furnish a copy of the order to the applicant-accused.

Signed and pronounced in the open Court on this 02nd Day of June, 2026.

Dt.02.06.2026
Place : Dahod

(Harishchandrasinh Gulabsinh Vaghela)
I/c. 3rd. Additional Sessions Judge,
Dahod.
(Code No.GJ00590)

H. J. Rathod.