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सत्यमेव जयते

**IN THE COURT OF THE SESSIONS JUDGE OF DAHOD
AT DAHOD**

**Criminal Misc. Application No.471/2026
Exh.5**

APPLICANT :-	Age (Years)	Occu- pation	Resident
Amitbhai Kamleshbhai Palas	24	Agriculture	Khaya Faliyu, Borwani, Tal. & Dist. Dahod.

Versus

OPPONENT :-	The State of Gujarat, Gandhinagar. (Summons through the Public Prosecutor, Dahod.)
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APPEARANCES :

Mr. S. S. Bhuriya, Learned Advocate for Applicant
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) Applicant Amitbhai Kamleshbhai Palas has filed the present application seeking regular bail u/Sec.483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (herein after referred to as 'the B. N. S. S.' in short) in connection with F. I. R. registered with **Dahod Rural Police Station Part-C C. R. No.11821008260368/2026** for the offences punishable Under Sections 65(e), 81, 83, 116(B) of the Prohibition Act.
- (2) The applicant-accused is alleged to have kept prohibited foreign liquor worth Rs.3,30,600/- at abandoned place without pass or permit and police has seized the said prohibited liquor during the raid.
- (3) Learned Advocate Mr. S. S. Bhuriya argued that, the present applicant is innocent and he has not committed the alleged offence. He has neither loaded prohibited liquor in offending vehicle nor transported it. He is unaware of the seized prohibited liquor. The case against the accused is triable by the learned J. M. F. C. and no sentence for more than 10 years is prescribed for the alleged offence. He is local resident and will be available during the trial. He has no previous criminal history. This is the first bail application u/Sec.483 of the Cr. P. C. in this offence. Charge-sheet is filed before the Hon'ble Court and Criminal Case No.2696/2026 is registered before the trial Court. No investigation has remained to be carried out

now. There is no chance of hampering or tampering with evidence and physical presence of the accused is not required since the investigation is over. It is accordingly urged to grant bail to the applicant.

- (4) Per contra, learned I/c. P. P. Mr. A. K. Parikh on behalf of the State has argued that, on the basis of secret information, Police raided the place of information and during the search, total 1740 tins of prohibited liquor worth Rs.3,30,600/- were found without pass-permit and seized by police. The secret information was received against the applicant and he was caught by police from the place of raid. The applicant is prima-facie involved in this offence. He has previous criminal history as mentioned by the Investigating Officer in his affidavit. Another accused persons are yet to be arrested. Therefore, no bail may be granted to the applicants.
- (5) Read the application. Heard the learned Advocates of both sides. Perused the investigation papers as well as affidavit filed by the Investigating Officer. Upon perusal of the case papers, it prima-facie appears that, during the patrolling, on the basis of secret information regarding holding of prohibited liquor by the applicant and his father Kamleshbhai Dhirjibhai Palas, Dahod Rural Police raided abandoned place of Khaya Faliya and during the search, total 1740 tins of prohibited liquor worth Rs.3,30,600/- were found and seized by police. It is found from the

investigation papers that the applicant was caught by police from the place of raid. Looking to the investigation papers, the place where the prohibited liquor has been recovered, was abandoned place and it does not appear to be owned by the present applicant. The prohibited liquor as alleged, have already been seized by police. Investigation is over and charge-sheet is already filed by the Police. So, no investigation has remained to be carried out, so far as the present applicant is concerned. The offences alleged against the applicant are triable by the Court of J. M. F. C. and trial will take time. No death penalty or life imprisonment has been prescribed for the offences alleged against the applicant. The applicant is in jail since 21.03.2026. He is a local resident and his presence can be secured during the course of trial by imposing stringent conditions.

- (6) Considering the above facts & circumstances and 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 and appropriate to enlarge the applicant on bail with stringent conditions. Accordingly, following order ensues.

-: ORDER :-

1. The present bail application filed by applicant **Amitbhai Kamleshbhai Palas** under Section 483 of the Bharatiya

Nagarik Suraksha Sanhita, 2023 in connection with **Dahod Rural Police Station Part-C C. R. No.11821008260368 /2026** for the offences punishable under Section 65(e), 81, 83, 116(B) of the Prohibition Act is hereby **allowed**.

2. The applicant - accused is 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 applicant shall not hamper or tamper with the prosecution evidence and witnesses;
 - (B) The applicant shall remain present before the Court regularly on the date of criminal case registered against him.
 - (C) The applicant shall not leave the territory of India without prior permission of the Court;
 - (D) The applicant shall surrender his passport with the Trial Court within seven days from the date of this order. If he does not possess passport, then he shall file affidavit to that effect;
 - (E) The applicant shall produce the proof of his permanent residence at the time of furnishing the bail bond and shall not change his 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)
Sessions Judge,
Dahod.
(Code No.GJ00590)

DSS, EA