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IN THE COURT OF SESSIONS JUDGE, AT MAHESANA

CRIMINAL MISCELLANEOUS APPLICATION No. : 254/2026

Exh. _____

Applicant : **Thakor Pravinji Chamanji**
 Age : Adult, Occupation: Agricultural Work
 R/o. : Thakorvas, Dethli, Ta. Sidhpur, Dist. Patan

Versus

Opponent : **The State of Gujarat.**

Regular Bail application u/s. 483 of B.N.S.S.

Appearance:

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Mr. M.C. Senma Learned Advocate for the applicant.

Mr. V.B. Patel, Learned D.P.P for the opponent.

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:-: ORDER :-:

- (1) This application is filed under Section 483 of the B.N.S.S. in connection with the FIR bearing C.R.No. 11206043260017 registered with Mahesana Taluka Police Station for the offences punishable u/s 65(a), 65(e), 116(b) of the Prohibition Act.

- (2) Heard learned advocate for the applicant and also heard learned D.P.P. for the State of Gujarat.
- (3) Learned advocate appearing on behalf of the applicants has argued at length and submitted that accused are in the custody since long span of time. Muddamal is recovered. Offence is filed against the applicants on the ground of false complaint. Applicants have not committed any alleged offence. Crucial parts of investigation is over hence there is no question to tamper the evidence. Case is triable by Ld. J.M.F.C. Court. Applicant is ready to follow the conditions. Hence, applicant may be enlarged on regular bail subject to the suitable conditions on the ground of parity.
- (4) Learned D.P.P. has appeared and strongly opposed the bail application and filed affidavit of investigating officer. He has submitted that the muddamal liquor of Rs. 1,92,314/- is recovered which is huge amount of liquor. There is strong prima facie case against applicant. Seventeen antecedents are filed against the Applicant . Therefore, he requested to reject the bail application.
- (5) Having heard both the sides and on perusal of police papers, it appears that the muddamal liquor of Rs. 1,92,314/- is recovered. Time will be passed in conducting/completing a trial. Crucial parts of investigation is over hence there is no question to tamper the evidence. Applicant are resident of Patan District so there is no question regarding the presence in the trial of applicant and to tamper the evidence. Therefore, considering the ratio laid down in the case of **Sanjay Chandra Vs. C.B.I.** application is required to be allowed. As per affidavit of I.O. Seventeen antecedents are filed against the Applicant wherein he acquitted in thirteen offences. Moreover, four offences are not heinous nature of crime therefore, ratio laid down in **Shailesh D. Zarvariya vs. State Of Gujarat in Cr.M.A/2353/2016 decided on**

18.03.2016 by Hon'ble High Court of Gujarat, the regular bail application is required to be granted. Applicant is ready to co-operate in the investigation and to follow the condition. Therefore, as per the opinion of this Court this is a fit case to exercise discretion under Section 483 of B.N.S.S. qua present applicants to enlarge him on regular bail. Hence, I passed the following order.

// Order//

- The Present Application No. 254/2026 is **Allowed**.
- The applicant is ordered to be released on bail in connection with the first information report bearing C.R.No. 11206043260017 registered with Mahesana Taluka Police Station for the offences punishable u/s 65(a), 65(e), 116(b) of the Prohibition Act.on executing personal bond of **Rs. 50,000/- (Rupees Fifty Thousand Only)** and a surety of the like amount for the satisfaction of the this Court and subject to the following conditions that applicant-accused shall;

∴ CONDITIONS ∴

- A) Not take undue advantage of liberty or misuse liberty.
- B) Not act in a manner injurious to the interest of the prosecution.
- C) Surrender passport, if any, to the lower Court within a week.
- D) Not leave the State of Gujarat without prior permission of the concerned Court.
- E) Furnish latest and permanent address of residence 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 this Court.

- F) Remain present on each date without fail during the trial before the trail court and in case of absence during the trial bail bond will be cancelled automatically.
- G) Bail bond be furnished before concerned Court.

Signed & pronounced in the open Court today, on this **07th day of March, 2026**

Date : 07.03.2026
Place: Mahesana

(Ambrish Laljibhai Vyas)
Sessions Judge
Mahesana
Code No : GJ00508

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