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**BEFORE THE COURT OF SESSIONS JUDGE,
AT: MAHESANA.**

CRI. MISC. APPLICATION NO.377 of 2026

Exh.07

Applicant : **Dholkawala Hussain@ Batla**
Ismilebhai Ishaqbhai
 Age : 35, Occupation: Business,
 R/o. : 13, Popatlal Mohanlal Chawl,
 Shaer Kotada Police Station, Opp.
 Surveillance Police Chowky,
 Saraspur, Ahmedabad.

Versus

Opponent : The State of Gujarat.

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

Appearance:

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Mr. M.Y.Shaikh Learned Advocate for the applicants.
 Mr. J.B. Rajput, Learned Spl.P.P for the opponent.

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J U D G M E N T

1. This application is filed under Section 483 of the B.N.S.S. in connection with the FIR bearing C.R.No. 11206050250433/2025 registered with Nandasan Police Station for the offences

punishable u/s 65(a), 65(e), 81, 83, 116-B, 98(2) of the Prohibition Act and u/s 238 of B.N.S.

2. Heard learned advocate for the applicant and also heard learned Spl.P.P. for the State of Gujarat.
3. Learned advocate appearing on behalf of the applicant has submitted that co-accused have been released on regular bail. Accused is in the custody since dt. 28-03-2026. Muddamal is recovered. Offence is registered against the applicant on the ground of false complaint. He has not committed any alleged offence. Case is triable by Ld. J.M.F.C. Court. Applicant is resident of Ahmedabad District and he is ready to follow the conditions. Hence, applicant may be enlarged on regular bail subject to the suitable conditions.
4. Learned Spl.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. 6,39,600/- is recovered from co-accused. There is strong prima facie case against applicant. After registered the present offence, accused is absconded. In all, Nineteen (19) offences are registered against the present applicant. Investigation is pending. 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. 6,39,600/- is recovered from co-accused, but present applicant is directly and clearly involved in the offence. Applicant is main accused. It reveals from the police papers that after registered the present offence, accused was absconded, and therefore, learned JMFC, Kadi has

issued warrant u/s.72 of B.N.S.S. Nineteen (19) offences are registered against the present applicant. Investigation is pending. Co-applicants are driver and cleaner of the vehicle who were released on bail. Role of co-accused and present applicant are different. Applicant was piloting the pick up muddamal vehicle No.GJ-07-VW-9482 through his Kia car. After registered the present offence, another offence is also registered in Sankheda police station. Therefore, as per the opinion of this Court, during investigation, this is not a fit case to exercise discretion under Section 483 of B.N.S.S. qua present applicant to enlarge him on regular bail. Hence, I passed the following order.

// Order//

Present Criminal Misc. Application No. 377 of 2026 is hereby **disallowed.**

Signed & pronounced in the open Court today, on this **06th day of April, 2026.**

Date : 06.04.2026
Place: Mahesana

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