



Received on : 19/01/2026
Registered on : 19/01/2026
Decided on : 17/03/2026

In the Court of Addl. Sessions Judge at Morbi.

Cri. Misc. Application No.75 of 2026

Applicant :

**The Police Sub-Inspector,
Tankara Police Station,
Morbi, Dist. Morbi.**

V E R S U S

Opponent:

Bankaram Mangalaram Bhabhu

Appearance :

Ld. Addl.P.P., Mr. S. C. Dave for the opponent - State.
Ld. Adv. Mr. F. J. Oza for the applicant/accused.

**Application U/s. 483(2) of Bharatiya Nagarik Suraksha Sanhita
for the cancellation of bail.**

J U D G E M E N T

- (1) The present applicant who is an Investigating Officer and on behalf of the State of Gujarat has filed the present application for cancellation of regular bail of opponent/accused which was granted by the Hon'ble High Court of Gujarat R/Criminal Misc. Application (For

Regular Bail – Before charge-sheet) No.19008 of 2025, dated 23/09/2025 in respect of offence registered at Tankara Police Station vide I-C.R. No.11189006250744/2025 for the offence punishable U/Ss.65(a), 65(e), 116-B, 81 and 98(2) of the Prohibition Action. That at the time of releasing the applicant/accused on bail as an accused in the said offence, the Hon'ble High Court of Gujarat has imposed the Condition No.7(h) "shall mark presence before the concerned police station once in a month for a period of six months between 11.000 a.m. and 2.00 p.m.. Inspite of this condition, the opponent/accused has made presence before the concerned Police Station. Hence, the present application U/s. 483(2) of B.N.S.S. for cancellation of Regular bail of the opponent/accused.

- (2) The notice of this application has been duly served to the opponent, but he did not appear before the Court to defence this application.
- (3) The Ld. A.P.P., Mr. N. D. Karia/ I.O. has appeared before the Court and has strongly submitted that the regular bail application of the opponent/accused granted by the Hon'ble High Court of Gujarat with certain terms and conditions, but applicant/accused has not obeyed the same, therefore, there is breach of terms and conditions of the regular bail applicant/accused granted by the Hon'ble High

Court of Gujarat. Hence, Ld. A.P.P. has prayed before the Court to cancel the regular bail of the accused.

- (4) After carefully consideration and submissions made by respective parties and also considering documentary evidence, on perusing R/Criminal Misc. Application (For Regular Bail – Before charge-sheet) No.19008 of 2025, dated 23/09/2025 in respect of offence registered at Tankara Police Station vide I-C.R. No.11189006250744/2025 for the offence punishable U/Ss.65(a), 65(e), 116-B, 81 and 98(2) of the Prohibition Action. That at the time of releasing the applicant/accused on bail as an accused in the said offence, the Hon'ble High Court of Gujarat has imposed the Condition No.7(h) "shall mark presence before the concerned police station once in a month for a period of six months between 11.000 a.m. and 2.00 p.m.. On perusing date of decision of said bail, at present period of six months is now over regarding mark of presence of applicant/accused before the concerned police station. In the present case, the applicant i.e. I.O. sought cancellation of bail of opponent/accused, which is granted by the Hon'ble High Court of Gujarat. After six months from the date of this bail applicant, the accused has not committed any illegal act nor taken any undue advantage. The condition imposed at the time of granting regular bail is said to be faulted by the accused. But now considering the circumstances of the case, it seems that the

cause shown in the application have become infructuous. Hence, without entering into the merits of the case, I am of the opinion that the cause does not survive to the State to proceed further with this application. Hence, opponent/accused has not breached the said condition, and hence this application is requires to be rejected. Hence, following order is passed in the interest of justice.

ORDER

The present bail application No.75/2026 is hereby rejected on merits.

Signed and pronounced in the open Court today on this 17th day of March, 2026.

Place:Morbi
Date:17/03/2026

(Kamal Rasiklal Pandya)
Additional Sessions Judge
Morbi
(GJ00739)

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