



GJMR010015562026



Received on : 20/05/2026
Registered on : 20/05/2026
Decided on : 30/05/2026

Exh. :

**IN THE COURT OF 2nd ADDITIONAL SESSIONS
JUDGE, MORBI.**

Criminal Misc. Application No. 763/2026

Applicant :-

Satka Meghaji Virambhai,
Aged - 27,
R/o. Gadhada (Nagabai), Rajkot.

Vs.

Opponent :-

THE STATE OF GUJARAT

Advocates:-

Mr. H. L. Chavda, Ld. Advocate for Applicant/Accused.

Mr. V. C. Jani, Ld. P.P. for Opponent/State.

:- JUDGMENT :-

- [1] This application has been filed by the applicant, to enlarge him on Anticipatory bail, u/s.482 of B.N.S.S., in connection with the offence registered with Morbi City A Division Police Station vide C.R. No. 0613/20260, for the offences u/s. 65(a)(e), 116(b), 81, 83 and 98(2) of the

Prohibition Act.

- [2] The applicant/accused is apprehending his arrest in connection with the offence registered as mentioned above and the applicant/accused has reason to believe that he may be arrested in connection with the said offence. Accordingly, the present anticipatory bail application is being filed under Section 482 of the B.N.S.S.
- [3] The notice was issued to the other side. The Ld. P. P. Mr. V. C. Jani, has appeared on behalf of the State and resisted the present application.
- [4] Ld. Advocate Mr. H. L. Chavda, appearing on behalf of the applicant/accused, submitted that the applicant is innocent and has been falsely implicated in the present case. It is further submitted that there is no name of the present applicant/accused in the FIR. It is further submitted that the name of the present applicant is surfaced merely on statement of other co-accused during investigation. It is further submitted that he was not present at the place of offence. It is further submitted the present applicant/accused is not having any criminal history except an offence of Arms Act. It is further submitted that, the applicant/accused is residing with his family at the address shown in the application and possessing movable and immovable properties and therefore, there is no likelihood

of his running away from the trial. It is further submitted that, the applicant/accused is family person and he is having responsibility to maintain his family and therefore, if he is not released on bail, there will be starvation like situation for his family. He further submitted that the applicant undertakes not to tamper with the evidence or influence any witnesses during the course of investigation or trial. The applicant is willing to abide by all the conditions that may be imposed by this Court. Therefore, Ld. advocate for the applicant has prayed that the present application deserves to be allowed.

- [5] Learned Public Prosecutor Mr. V. C. Jani has vehemently opposed the present bail application and has placed on record the affidavit of the Investigating Officer. It is submitted that the present applicant is involved in offence registered with Tankara Police Station vide C.R. No. 0286/2026 and also in offence registered with Morbi City A Division Police Station vide C.R. No. 0613/2026 and both the offences are interconnected. It is further submitted that the alleged offence is very serious and present applicant/accused along with other co-accused persons, was involved in illicit transportation and delivery of Indian Made Foreign Liquor worth Rs. 50,38,800/-. It is further submitted that he was actively involved in commission of offence thereby planning to transport the said liquor managing laborers to deliver liquor, and supervising the

commission of offence. It is further submitted that the applicant/accused is habitual offender and there is other offence also registered against the present applicant/accused. He further submitted that the Government has made the prohibition law more stringent to curb the menace of liquor and during the investigation of police, huge quantity of intoxicating material was found from the co-accused in three different vehicles which was alleged to have imported, managed and delivered under the supervision of the present applicant/accused. He further argued that he has played active role in the alleged offence, and hence, there is prima facie case against the present applicant/accused person. Moreover, there is possibility that if the applicant/accused is released on bail, he may temper with the evidence. He also argued that there is possibility that present applicant/accused will not remain present during the trial if bail application of present applicant is allowed. Hence, Ld. PP has prayed before this Court that anticipatory bail application of applicant/accused requires to be dismissed.

- [6] In view of the submissions advanced by both the sides and upon perusal of the material placed on record, it appears that the present applicant is prima facie involved in the alleged offence. The record reveals that huge quantity of Indian Made Foreign liquor worth Rs.50,38,800/- came to be recovered from the possession of the co-accused in

three different vehicles which was alleged to have imported, managed and delivered under the supervision of the present applicant/accused. The offence alleged against the applicant is serious in nature and pertains to violation of the provisions of the Prohibition Act, enacted with an object to curb the menace of illicit liquor activities.

[7] It further transpires from the record that other offences are also registered against the present applicant, which clearly indicates his habitual involvement in similar offences. Therefore, considering the antecedents of the applicant and the nature and gravity of the offence, this Court is not inclined to exercise discretionary powers in favour of the applicant under Section 482 of the B.N.S.S. At this stage, the investigation is in progress and custodial interrogation of the applicant may be necessary for effective and proper investigation. There is also substance in the apprehension expressed by the prosecution that if the applicant is granted anticipatory bail, there is possibility of tampering with evidence or influencing witnesses.

[8] Considering the overall facts and circumstances of the case, the seriousness of the offence, the criminal antecedents of the applicant and the prima facie material available on record, this Court is of the opinion that the applicant is not entitled to get discretionary relief of anticipatory bail. Hence, following order is passed in the

interest of justice.

-: ORDER :-

The present bail application is hereby rejected.

Signed and pronounced in the open Court on this **30th Day**
of May, 2026.

Place: Morbi
Date: 30/05/2026

(Kamal Rasiklal Pandya)
2nd Additional Sessions Judge,
Morbi
Judge Code GJ00739

KVA

