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**IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS  
JUDGE (MR.R.T.PANCHAL), NARMADA, AT - RAJPIPLA**

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**CRIMINAL MISC. APPLICATION NO.94 OF 2026**

Exh.....

**Applicant:** Krunal alias Guddu Rajeshbhai Parmar  
Age: 36 Years, Occu. : labour,  
R/o : Mahajaniya Vas, Division -1,  
Naroda Patiya, Sardar Nagar,  
Ahmedabad.

At present in Rajpipla District Jail

**VERSUS**

**Opponent:** The State of Gujarat,  
Notice through the DGP,  
Rajpipla.

**Appearance:**

Mr. M.I. Kalaiwala/F.H.Memon, Ld. Advocate for the  
applicant/accused.

Mr. J.J. Gohil, Ld. DGP for the State.

**Subject :** An Application for bail u/s 483 of BNSS, 2023.

**:: O R D E R ::**

- [1] Present applicant/accused has preferred this application under the provision of Sec. 483 of BNSS, 2023 for enlarging him on regular bail for the offences punishable u/s. 65(a) (e), 81, 98(2), 116-B of the Gujarat Prohibition Act registered with the Sagbara Police Station bearing C. R. No.11823021251654/2025.
- [2] The Learned Advocate for the applicant/accused has mainly relied on the contentions raised in the memo of application and has argued that an offence was registered against the present applicant/accused before the Sagbara Police Station bearing C. R. No.11823021251654/2025 for the offences punishable 65(a)(e), 81, 98(2), 116-B of the Gujarat Prohibition Act regarding which the applicant/accused was arrested by the police and his bail application was rejected by the learned Trial Court. It is also submitted that the applicant/accused is in the judicial custody at present and therefore the present applicant/accused has filed present application for bail. It is further submitted that the applicant/accused is innocent and he has not committed any offence and he has no any connection with the offence. It is further submitted that the applicant/accused will obey all the conditions imposed by the Court while granting bail to him. Lastly, it is prayed to allow the present application in the interest of justice.

Ld advocate for applicant/accused has produced copy of order passed by Hon'ble High Court of Gujarat in R/Criminal Misc. Application (For Regular Bail – Before

charge-sheet) No. 99 of 2026 on dated 09/01/2026 in which co-accused Kuldeep alias Bobby Rajeshbhai Parmar was released on regular bail. Hence, requested to grant bail to present applicant/accused on the ground of parity.

- [3] On issuance of notice, Ld. DGP appeared on behalf of the State. Investigating Officer Mr. H.B. Rathava, P.S.I. Sagbara Police Station submitted an affidavit vide **Exh.6** in which it is stated that the applicant/accused have committed the offences punishable 65(a)(e), 81, 98(2), 116-B of the Gujarat Prohibition Act registered with the Sagbara Police Station bearing C. R. No.11823021251654/2025. It is stated by the I.O. that present applicant/accused Krunal alias Guddu Rajeshbhai Parmar and co-accused Kuldip alias Bobi Rajeshbhai Parmar were travelling in Indica Vista vehicle No. GJ06-DB-2339 and were caught by the Police alongwith Country made English liquor worth of Rs. 96,000/- without pass or permit. Thus, accuseds have committed the crime. It is further stated that the said muddamal liquor was supplied by Sahil Rajesh Rathod and asked by co-accused Mayur Chandubhai Rathod. Thus, all the accused have committed the crime by helping one-another. Lastly, it is prayed to reject the present bail application. **Ld. DGP** appeared on behalf of the State and argued parallel to the facts of the affidavit of the Investigating Officer and prayed to reject the present bail application.

[4] Heard Ld. Advocates for the respective parties. This Court has gone through the memo of application, FIR, affidavit filed by the Investigating Officer vide Exh.6 and other case papers. Considering the record of present case, it seems that the present applicant/accused are alleged to have been involved in the alleged offence registered before the Sagbara Police Station bearing C. R. No.11823021251654/2025, punishable 65(a)(e), 81, 83, 98(2), 116-B of the Gujarat Prohibition Act. Looking to the case papers as well as affidavit filed by the I.O., it is alleged that present applicant/accused Krunal alias Guddu Rajeshbhai Parmar was driving Indica Vista vehicle No. GJ06-DB-2339 alongwith Country made English liquor worth of Rs. 96,000/- without pass or permit.

Ld advocate for applicant/accused has produced copy of order passed by Hon'ble High Court of Gujarat in R/Criminal Misc. Application (For Regular Bail – Before charge-sheet) No. 99 of 2026 on dated 09/01/2026 in which co-accused Kuldeep alias Bobby Rajeshbhai Parmar was released on regular bail. Hence, requested to grant bail to present applicant/accused on the ground of parity.

Here it is required to note that the present applicant/accused Krunal was in conscious possession of muddamal liquor worth of Rs. 96,000/- in Indica Vista vehicle No. GJ06-DB-2339 at the place of offence and as per Column No. 23 of affidavit of I.O. Exh. 6, there are five criminal cases registered against present applicant/accused. Whereas as per order of Hon'ble High Court as per Para 6, the co-accused Kuldeep alias Bobby

Rajeshbhai Parmar having only one antecedent, therefore, the Hon'ble High Court of Gujarat released co-accused on executing a bond of Rs. 25,000/- with one surety of like amount to the satisfaction of the trial court. In the present application, **as the applicant/accused has huge past criminal antecedent than co-accused Kuldeep alias Bobby Rajeshbhai**, therefore, the present applicant/accused is not entitled to be released on regular bail on the ground of parity.

One of the grounds mentioned by the applicant/accused is that the charge-sheet has already been filed and hence the applicant/accused is entitled for bail. However, there is no any mandatory provision of law to release the applicant/accused on the said ground of filing of charge-sheet. Thus, considering the facts and circumstances of the case, nature of allegations and gravity of offense, at this juncture this is not a fit case to grant bail to the applicant/accused. So, I pass following order in the interest of justice.

### **ORDER**

The applicant's present bail application is hereby rejected.

Signed and pronounced in the open Court today on 12<sup>th</sup> day of March, 2026.

Date: 12/03/2026  
Place: Rajpipla

(Rameshkumar Thakorbbhai Panchal)  
(GJ00413)  
Principal District & Sessions Judge,  
Narmada, At - Rajpipla