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IN THE COURT OF HON'BLE SESSIONS JUDGE, PATAN - AT PATAN

**Criminal Misc. Application No.181/2026
Ex.8**

APPLICANT:

Hanspal Singh Deora son of Surendra Singh Deora
Age: 38 Years, Occupation: -
R/o.: Dhanta, Sindrath, Sirohi, Rajasthan – 307001.

V/s.

OPPONENT :

The State of Gujarat

APPEARANCE:

Mr.V.R.Parmar - Ld. Advocate for Applicant.
Mr.J.D.Thakkar – Ld. A.P.P. for the State.

-: J U D G M E N T :-

1. The applicant/accused herein has moved this pre-arrest bail application U/s. 482 of B.N.S.S. in connection with C.R. No.11217040250649/2025 registered at Vagdod police station for the offence punishable U/s. 65(a)(e), 116(b), 98(2), 81, 83 of the Prohibition Act, the applicant has moved this court.
2. It is the case of the prosecution that, although the liquor is banned in the state of Gujarat, the accused persons of the present offence illegally smuggled the foreign liquor worth Rs.28,90,128/- into the state of Gujarat which was seized by the police from the farm where accused no.1 was found present. The present applicant is said

to have supplied the said muddamal liquor to the co-accused in the truck from the state of Rajasthan and he is absconding since the offence. Hence, the alleged offence was registered and the present applicant is before this court seeking anticipatory bail fearing his arrest in connection with the alleged offence.

3. Learned advocate for the applicant has argued that the applicant has been falsely implicated in the alleged offence and denies all the allegations levelled against the applicant. No muddamal was seized from the possession of the applicant. The allegations in the FIR and the police visit to the residence of the applicant refers to a person named 'Montusinh' who is allegedly the owner of a liquor shop. The applicant categorically denies being known by the name 'Montusinh' or any similar nomenclature. That this is a clear case of mistaken identity where the investigating agency has wrongly connected the applicant with an entirely different person, resulting in grave injustice and unwarranted harassment. It is submitted that the applicant would not misuse the liberty of the bail and shall abide conditions whichever imposed by this Court. Applicant has prayed to release him on bail in view of above as well as other grounds stated in the bail application.
4. Learned A.P.P. has objected the present application on the ground that, investigation is underway and custodial interrogation of applicant is required. In such circumstance, considering the gravity of the offence, the present application may be rejected.
5. Heard the learned advocates for the respective parties. Read the application and affidavit filed by the Investigating Officer as well as perused the record.
6. The applicant has come up with the present application seeking

anticipatory bail in fear of his arrest for his involvement in the alleged offence. The present applicant has been alleged to have committed the said offence in collusion with the co-accused by supplying liquor in a truck from the state of Rajasthan and brought it in the state of Gujarat. The alleged offence is a very serious offence and the investigation is underway and custodial interrogation of the applicant is necessary to reach the root of the offence. The learned advocate for the applicant has placed reliance on the decision of Hon'ble High Court of Gujarat in the case of *Yogeshbhai Bhikhabhai Chaudhary V/s. State of Gujarat & 1 other(s) decided on 22/07/2019*. However, perusing the said case, it transpires that the facts contained in the said case are different than the present case and hence the said decision cannot be applied to the present case. Hence considering the facts and circumstance of the case, it is not in the interest of justice to grant anticipatory bail to the applicant at this stage. In view of above discussions, following order is passed.

-: ORDER :-

Present Application is hereby *Rejected*.

Pronounced & signed in the open court today.

Date : 12/03/2026

Place: Patan

(Prashantkumar H. Sheth)

Sessions Judge, Patan

U.I.Code No.GJ00524