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

**Criminal Misc. Application No.191/2026
Ex.9**

APPLICANT:

Ajitji Himmatji Thakor
Age: 24 Years, Occupation: Business
R/o.: Mota Ramalada, Ta-Dist: Patan.

V/s.

OPPONENT :

The State of Gujarat

APPEARANCE:

Mr.R.M.Chaudhary - Ld. Adv. for Applicant / Accused.
Mr.J.J.Barot – Ld. A.P.P. for Opponent / State.

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

1. In order to secure regular bail U/s. 483 of the B.N.S.S. in connection with C.R. No.11217004260004/2026 registered at Balisana police station for offence punishable U/s. 65(A) (E), 116(B), 81, 83 98(2) of the Prohibition Act, the applicant has moved this court.
2. It is the case of the prosecution that, the police seized muddamal foreign liquor worth Rs.2,54,435/- from the Ecco car bearing registration No.GJ-08-CR-2184. The said muddamal was ordered by the present applicant. The

applicant was running liquor business in the state of Gujarat in collusion with the co-accused and hence the alleged offence came to be registered. Hence the present applicant was arrested in connection with the offence later on and sent to judicial custody after his bail application came to be rejected by the trial court and hence he is before this court seeking the regular bail.

3. Learned advocate for the applicant has submitted that the applicant is falsely implicated in the alleged offence and he is innocent. No muddamal was seized from the possession of the present applicant. It is stated that the applicant would not flee away and co-operate in investigation and abide all the conditions of the bail. Co-accused has been released on bail and hence the present applicant is entitled for the parity. The applicant has prayed to release him on regular bail in view of above as well as other grounds stated in the present application.
4. The learned A.P.P. has submitted that the investigation is underway and 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 is in judicial custody at present in connection with the offence and therefore he is before this court seeking the regular bail. The present applicant is alleged to have ordered the muddamal liquor from the co-accused.

However, it is not on record that any muddamal was seized from the actual possession of the applicant. Looking to the affidavit of the I.O., there is no criminal history of the applicant. Moreover, the present case is triable by the learned JMFC and there is no capital punishment for the alleged offence in the statute. One co-accused has been released on bail by this court in the present offence. If the present application is allowed with suitable conditions to ensure the presence of the applicant during the trial, it would be in the interest of justice. So considering the facts of the case and principles laid down by the *Hon'ble Supreme Court in Sanjay Chandra V/s. C.B.I. 2012(1), S.C.C. 40, 2012(1), G.L.H. 93*, if discretionary power vested with this court to release the applicant on bail is utilized with suitable conditions, it would be just and proper. So I pass following order.

:- ORDER :-

- (1) Present Application is hereby *Allowed*.
- (2) Applicant - Ajitji Himmatji Thakor is hereby enlarged on regular bail in connection with C.R. No.11217004260004/2026 registered at Balisana police station for offence punishable U/s. 65(A)(E), 116(B), 81, 83 98(2) of the Prohibition Act on furnishing a personal bond of Rs.25,000/- (Rs. Twenty Five Thousand only) and a solvent surety of like amount before the concerned Court with following conditions:
 - *shall co-operate in investigation and remain present before the Trial Court regularly as and when directed or dates fixed;*

- *shall not travel outside the state of Gujarat without prior permission of the Court;*
 - ***The applicant shall not enter the territory of Balisana police station till filing of the charge-sheet and shall provide his/her residential address during the said period.***
 - *shall not involve in identical or any other offence in future;*
 - *shall not directly or indirectly make any inducement, threat or promises to any person acquainted with the fact of the case so as to dissuade them from disclosing such facts to the Court or to any Police Officer;*
 - *shall not tamper with the evidence or influence the witnesses;*
 - *shall furnish permanent correct address and contact number to the court at the time of executing bail bond and shall also furnish the same to the Investigating Officer and shall not change the same without prior permission of the Court;*
 - *shall also surrender passport, if any, else shall make necessary affidavit.*
 - *Bail Bond to be executed before the concerned Court.*
- (3) *Yadi of this order be sent to the concerned court and police station.*

Pronounced & signed in the open court today.

Date : 13/03/2026
Place: Patan

(Prashantkumar H. Sheth)
Sessions Judge, Patan
U.I.Code No.GJ00524