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DECIDED ON	06/03/2026
DURATION	DYS-MTS-YRS

**IN THE COURT OF THE ADDITIONAL SESSIONS JUDGE
AT LIMBDI, DIST. SURENDRANAGAR**

Criminal Misc. Application No.55 of 2026

Exh.

Aarifbhai Musabhai Hajibhai Lakha
Aged about 34 years,
Occupation: Driving,
Residing at: Village Gadu,
Behind Saigar Mill,
Tal. Maliya Hatina,
Dist. Junagadh.
At present in Sub-Jail, Limbdi.

...Applicant

Versus

The State of Gujarat

...Opponent

Learned Advocate Mr.J.A. Dhandhal for the applicant.
Learned Special PP Mr. H.A. Parmar for the opponent – State.

Application under Section 483 of B.N.S.S.

JUDGMENT

- 1) The present application is preferred by the applicant under Section 483 of B.N.S.S. seeking regular bail as he arrested in connection with the Sayla Police Station C.R. No.11211045260073/2026 for the

offence punishable under Sections 65(a), 65(e), 116(B), 81, 83 and 98(2) of Prohibition Act.

2) Opponent – State duly served with the notice and, Learned Special PP Mr.H.A. Parmar appeared on behalf of the State, Mr.B.N. Galchar, PSI, Chotila Police Station, Dist. Surendranagar has filed affidavit at Exh.4 against present bail application.

3) Heard the Ld. Advocate for the applicant and Learned Special PP for the state at length.

4) Heard the Ld. Advocate for the applicant accused, Ld. Special PP for the opponent State. I have gone through the documents produced with this application, I have also gone through the affidavit filed by the IO.

Ld. Advocate for the applicant accused has stated that the present applicant accused has filed the application under Section 483 of B.N.S.S. for the regular bail of the applicant accused. It is further stated that the offence punishable under Sections 65(a), 65(e), 116(B), 81, 83 and 98(2) of Prohibition Act came to be registered

against the applicant accused and applicant is at present in judicial custody. It is submitted that as per the allegation leveled in the complaint, the present applicant have not committed any offence and wrongly involved in the present offence. The present applicant accused has no criminal antecedents and there is direct or indirect involvement of the present applicant accused in the present offence. The vehicle from which muddamal found in the present offence which is not of the ownership of the present applicant accused. The present applicant has no personal knowledge regarding contraband muddamal. If the present applicant accused is given bail, the present applicant accused will abide by all the condition and is regularly remained present during the proceeding of the trial and so, requested to grant regular bail to the present applicant accused.

- 5) Ld. Special PP Mr. H. A. Parmar for the prosecution objected the present bail application and stated that looking to the role of the present applicant accused, the accused is caught by the Investigating Officer with muddamal total amounting to Rs.39,09,504/-. The applicant/accused is involved in manipulation of prohibited

muddamal liquor and during the police raid huge quantity of Indian made Foreign Liquor was recovered by the police and the present applicant/accused is involved in very serious crime spoiling the moral and fabric of the entire society and which is affecting the health of the people. He further submitted that investigation is still in progress in respect of the present offence. So looking to the gravity and nature of the present offence as well as the stage of investigation, the present application is required to be rejected.

- 6) I have heard both the side at length, I have gone through the papers produced with this application and also affidavit of IO. The offence punishable under Sections 65(a), 65(e), 116(B), 81, 83 and 98(2) of Prohibition Act came to be registered against the applicant accused. Further, looking to the role of the present applicant accused, the accused is caught by the Investigating Officer with prohibited liquor muddamal amounting to Rs.39,09,504/- which is huge in quantity and therefore, considering the nature and gravity of the offence the alleged offence is very serious in nature. So, looking to the gravity of the offence and looking to the role played by the applicant accused,

this is not a fit case wherein this Court should exercise discretion for grant of regular bail to the applicant accused, because grant of bail to such accused shall frustrate legislation intention and more particularly, the applicability of law of prohibition in the Gujarat State. So, looking to the totality and the facts and circumstances of this application, I do not find it fit to allow this application. Hence, in the interest of justice following order is passed:-

ORDER

The present bail application of applicant/accused, namely **Aarifbhai Musabhai Hajibhai Lakha**, of the **C.R. No.11211045260073/2026 for the offence punishable under Sections 65(a), 65(e), 116(B), 81, 83 and 98(2) of Prohibition Act**, came to be registered before **Sayla Police Station** is hereby **Rejected**.

Signed and pronounced in the open Court on this 6th day of March, 2026.

Date:06/03/2026

Place:Limbdi

(P.T. Patel)
Additional Sessions Judge,
Limbdi, Dist. Surendranagar
Code No.GJ00528