

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL APPEAL (REGULAR BAIL - AFTER CHARGESHEET) NO.
134 of 2026**

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CHEEF OBANNA ANEE CHRISTIAN
Versus
STATE OF GUJARAT & ANR.

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Appearance:

MR SANJAY PRAJAPATI(3227) for the Appellant(s) No. 1
MR ANKIT SHAH(6371) for the Opponent(s)/Respondent(s) No. 2
MS DIVYANGNA JHALA, APP for the Opponent(s)/Respondent(s) No. 1

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CORAM: HONOURABLE MR.JUSTICE N.S.SANJAY GOWDA
and
HONOURABLE MR.JUSTICE D. M. VYAS

Date : 27/02/2026**JUDGMENT****(PER : HONOURABLE MR.JUSTICE N.S.SANJAY GOWDA)**

1. On 12.9.2022, an input was received by ATS Gujarat about the smuggling of the consignment of narcotic drugs (Heroin) in a Pakistani fishing boat for delivering it at Meetha-Port. This fishing boat was intercepted near Meetha Port and 38.994 Kgs of Heroin was seized and 6 Pakistani nationals were also arrested on 14.09.2022.

2. The crime was accordingly registered and on completion of the investigation, a charge-sheet had been submitted against 10 accused. The appellant herein was arraigned as accused No.9.

3. The investigation was taken over by the National Investigation Agency (NIA) pursuant to the order passed

by the Union of India and after investigation of the case, the NIA filed a supplementary charge-sheet on 19.10.2023. Another accused named Lawrence Bishnoi was arraigned as accused No.11.

4. A third supplementary charge-sheet was also filed against Sartaj Salim- the accused No.7.

5. The NIA Court of Ahmedabad framed the charges on 5.3.2025 against all the accused, including the the present appellant- accused No.9.

6. It may be pertinent to state here that on 21.09.2024, the regular bail application of the present appellant being Criminal Misc. Application No.40 of 2024 was rejected by the NIA Court. Thereafter, a successive bail application being Criminal Misc. Application No.10 of 2025 was also rejected by the NIA Court on 12.5.2025.

7. The appellant, thereafter, preferred a 3rd bail application being Criminal Misc. Application No.78 of 2025 and this was also rejected by the NIA Court on 2.1.2026.

8. The appellant is before this Court challenging the rejection of his 3rd bail application.

9. It is also stated by the learned counsel appearing for the NIA that as of now, 12 witnesses have been examined.

10. Learned Additional Public Prosecutor submitted that the appellant had committed another offence under the NDPS Act, for which he was prosecuted in a case being No.499 of 2019 by the Sessions Court, Amritsar and he had in fact been convicted in the said case.

11. The learned counsel for the appellant did not dispute this fact and it was also admitted that the appeal filed by the appellant- accused was disposed of by confirming the conviction but by imposing a lesser sentence.

12. It is, therefore, clear from the above that apart from the fact that the appellant's earlier bail applications have been rejected, he has also suffered an order of conviction which has been affirmed in appeal.

13. In the light of these facts, we are of the view that the appellant would not be entitled for bail merely on his assertions that he is not guilty of the offence alleged against him.

14. Consequently, the appeal stands dismissed.

Sd/-
(N.S.SANJAY GOWDA,J)

Sd/-
(D. M. VYAS, J)

OMKAR