

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR REGULAR BAIL -
BEFORE CHARGESHEET) NO. 6458 of 2026**

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VINOD KISHNJI BANSIWAL

Versus

STATE OF GUJARAT

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Appearance:

MR RJ GOSWAMI(1102) for the Applicant(s) No. 1

MR KRUTIK PARIKH, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE R. T. VACHHANI

Date : 20/03/2026

ORAL ORDER

1. Heard learned advocate appearing on behalf of the applicant and learned Additional Public Prosecutor appearing on behalf of the respondent-State.

2. **Rule.** Learned APP waives service of rule on behalf of the respondent-State.

3. The applicant has filed this application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for enlarging the applicant on Regular Bail before filing of the charge sheet in connection with FIR being C.R. No. 11214021260232 of 2026 registered with Kosamba Police Station, Surat for the offence punishable under Sections 65(a)(e), 81, 83, 98(2), 116(b) of the Gujarat Prohibition Act and Sections 111(2)(b), 111(3)(4) of the BNS, 2023.

4. Learned advocate for the applicant submitted that the applicant has been found in possession of contraband allegedly

valued at about Rs.22 lakhs without any permit. It is submitted that the role attributed to the applicant is that of a mediator who was allegedly supposed to transfer the contraband to the co-accused. It is further submitted that the applicant has only one past antecedent being Cr. Case No. 2186/2024, in which the applicant has already been acquitted. It is further contended that the charge-sheet is not yet filed. The learned advocate submits that the applicant is ready and willing to abide by any condition that may be imposed by this Court.

5. As against the same, learned Additional Public Prosecutor appearing for the respondent - State has vehemently objected to the grant of regular bail. Learned APP has submitted that looking to the nature and gravity of the offence, the seriousness of the allegations and the role attributed to the present applicant as emerging from the FIR so far, this Court may not exercise discretion in favour of the applicant and the application may be dismissed.

6. This Court has taken into consideration the law laid down by the Hon'ble Apex Court in the case of **Sanjay Chandra v. Central Bureau of Investigation reported in [2012] 1 SCC 40.**

7. In the facts and circumstances of the case and considering the nature of the allegations made against the applicant in the First Information Report, without discussing the evidence in detail, prima facie, this Court is of the opinion that, this is a fit case to exercise the discretion and enlarge the applicant on regular bail.

8. Hence, the applicant is ordered to be released on bail in

connection with F.I.R. registered as C.R. No. 11214021260232 of 2026 registered with Kosamba Police Station, Surat on executing a bail bond of Rs.1,00,000/- (Rupees one lacs only) with one surety of the like amount to the satisfaction of the trial Court and subject to the conditions that he shall;

[a] not take undue advantage of liberty or misuse liberty;

[b] not act in a manner injurious to the interest of the prosecution;

[c] surrender his passport, if any, to the trial court within a week, and if he does not possess a passport, he shall file an affidavit to that effect;

[d] not to enter into the limits of District Surat except for attending the Court proceedings;

[e] furnish the present address of his residence in Rajasthan to the I.O. and to the Court at the time of execution of the bond and shall not change his residence without prior intimation to the I.O. and the court;

[f] mark his presence before the Kosamba Police Station at every 15 days for a period of three months from the date of release and submit a report of the same to the trial court if required;

[g] not indulge in similar kind of offence hereinafter, for which, he shall file an affidavit before the concerned court and the police station.

09. The Authorities will release the applicant only if he is not required in connection with any other offence for the time being. If breach of any of the above conditions is committed, the Sessions Court concerned will be at liberty to take appropriate action in accordance with law.

10. Bail bond to be executed before the trial court having jurisdiction to try the case. It will be open for the concerned Court to delete, modify and/or relax any of the above conditions in accordance with law.

11. At the stage of trial, the competent court shall not be influenced by any observations of this Court which are of preliminary nature, made at this stage only for the purpose of enlarging the applicant on regular bail. The application is allowed in the aforesaid terms. Rule is made absolute to the aforesaid extent. Direct service is permitted.

Kaushal Rathod

(R. T. VACHHANI, J)