

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR REGULAR BAIL -
AFTER CHARGESHEET) NO. 6518 of 2026**

AJAYKUMAR PATARAM THORI

Versus

STATE OF GUJARAT

Appearance:

MR NIRAV K PADHIYAR(5678) for the Applicant(s) No. 1

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

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 in connection with FIR being C.R. No. 11824004252953 of 2025 registered with Songadh Police Station, Tapi for the offence punishable under Sections 65(a), 65(e), 81, 83, 98(2) and 116(B) of the Gujarat Prohibition Act and Sections 336(3) and 340(2) of the BNS, 2023.
4. Learned advocate for the applicant would submit that, having regard to the role attributed to the applicant and the nature of the allegations levelled against him, the applicant deserves to be enlarged on regular bail. It is further submitted that the applicant

was travelling in the vehicle in question and the recovery of the huge quantity of contraband was effected from the said vehicle. It is further contended that, since the charge-sheet has already been filed, further incarceration of the applicant will serve no purpose whatsoever and will not benefit the investigation in any manner. It is further submitted that the applicant is ready and willing to abide by all conditions that may be imposed by this Court, if enlarged on bail.

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 role attributed to the present applicant as emerging from the charge-sheet, the fact that co-accused is yet to be nabbed and investigation in that regard is still ongoing, as well as there is past antecedent of the applicant, 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. 11824004252953 of 2025 registered with Songadh Police Station, Tapi, 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 the liberty granted;

[b] not act in a manner injurious to the interest of the prosecution or tamper with evidence/witnesses in any manner;

[c] surrender his passport, if any, to the trial court within one week from the date of release, and in case he does not possess a passport, file an affidavit to that effect before the trial court within the said period;

[d] furnish his present residential address in Rajasthan to the Investigating Officer and to the trial court at the time of execution of the bond, and shall not change his residence or leave the State of Rajasthan without prior permission of this Court or the trial court;

[f] mark his presence before the Songadh 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 any similar kind of offence during the pendency of the trial, for which he shall file an undertaking/affidavit before the concerned trial court and the Investigating Officer/police station to the said effect.

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)