

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/CRIMINAL MISC.APPLICATION (FOR REGULAR BAIL - BEFORE
CHARGESHEET) NO. 9118 of 2026**

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UMEDBHAI VISHNUBHAI THAKOR
Versus
STATE OF GUJARAT

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Appearance:
MR AM PAREKH(562) for the Applicant(s) No. 1
MS.JYOTI BHATT, APP for the Respondent(s) No. 1

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**CORAM: HONOURABLE MR.JUSTICE UTKARSH THAKORBHAI
DESAI**

Date : 30/04/2026

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. 11209028260203 of 2026 registered with Khedbrahma Police Station,

Sabarkantha, for the offence punishable under Sections 8(C), 20(B) and 29 of the NDPS Act, 1985.

4. Learned advocate for the applicant would submit that considering the role attributed to the applicant, and nature of the allegation levelled, the applicant may be enlarged on regular bail. It is further submitted that it will take long time for the charge-sheet to be filed, hence no useful purpose would be served by keeping the applicant in jail till then. It is further contended that the applicant is ready and willing to abide by all the conditions that may be imposed by this Court if released 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 of offence and the role attributed to the present applicant, as the charge-sheet is yet to be filed, this Court may not exercise the discretion in favour of the applicant, and the

application may be dismissed.

6. I have heard learned advocates appearing on behalf of the respective parties and perused the papers. Following aspects are considered:-

- i. The applicant is a permanent resident of Ahmedabad district, hence would be available at the time of trial;
- ii. The applicant does not have any criminal antecedent.
- iii. As mentioned in the FIR, co-accused Vijaybhai Dineshbhai Thakore having stated before the raiding police personnel that, the applicant had accompanied since he was his friend, and the said activa belonged to the applicant. Further, the applicant herein had also stated before the raiding police personnel that, he was co-accused Vijay Thakore's friend, and had come with his activa.
- iv. The contraband which was seized was 1.502 kgs of Ganja, hence, the rigors of Section 37 of the NDPS Act, 1985, would not apply.

v. The apprehension of the learned APP as regards the applicant if granted bail, he would once again indulge in such or similar offense, can be put to rest by imposing stringent conditions.

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 present application is allowed. The applicant is ordered to be released on bail in connection with FIR being C.R. No. 11209028260203 of 2026 registered with Khedbrahma Police Station, Sabarkantha,

on executing a bond of Rs.25,000/- (Rupees Twenty Five Thousand 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 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 leave the State of Gujarat without prior permission of the Court concerned;

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

[f] mark presence on every Monday before the

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

9. 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 competent 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 considering the application of the applicant for being released on regular bail.

12. The application is allowed in the aforesaid terms. Rule is made absolute to the aforesaid extent. Direct service is permitted.

ANKIT SHAH

(UTKARSH THAKORBHAI DESAI, J)