

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR SUCCESSIVE REGULAR BAIL
- AFTER CHARGESHEET) NO. 15016 of 2026****=====**
MOHMMAD IMRAN FIROJKHAN MANSURI**Versus****STATE OF GUJARAT**
=====**Appearance:****MR. ADITYA PANCHOLI for RAFIK LOKHANDWALA(5590) for the
Applicant(s) No. 1****MR ROHAN N. SHAH, APP for the Respondent(s) No. 1**
=====**CORAM:HONOURABLE MR. JUSTICE DIVYESH A. JOSHI****Date : 07/08/2026****ORAL ORDER**

1. Rule returnable forthwith. Learned APP waives service of notice of Rule for and on behalf of Respondent-State.
2. This is second successive application after submission of charge-sheet is filed under Section 483 of the Bharitya Nagrik Suraksha Sanhita, 2023, for regular bail in connection with FIR being C.R. No.I-11211040230055 of 2023 registered with the Panshina Police, Station, Surendranagar of the offence punishable under Sections 8(c), 15(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.
3. Learned advocate Mr. Aditya Pancholi appearing for learned Advocate Mr. Rafik Lokhandwala for the applicant submits that this is second successive bail application after submission of charge-sheet and earlier successive bail application was not considered by the Court on merits. He also submits that after lapse of some time, the co-accused, whose role is identical

and same was enlarged by the Coordinate Bench vide order dated 23/01/2026 and copy of the said order is appended with this application. He submits that the role of the present applicant is identical and same as the co-accused, who has been enlarged by the Coordinate Bench and therefore, considering the same, the present applicant may be enlarged on bail. He submits that the applicant was arrested on 25/03/2023 and since then he is in judicial custody. He has undergone more than 3.5 years in the judicial custody. He also submits that considering the period of incarceration, nature of the offence, the applicant may be enlarged on regular bail by imposing suitable conditions.

4. Learned APP appearing on behalf of the respondent-State has opposed grant of regular bail looking to the nature and gravity of the offence. However, he has fairly considered that the co-accused whose role is identical and similar has been enlarged by the Coordinate Bench of this Court.
5. Learned advocates appearing on behalf of the respective parties do not press for further reasoned order.
6. I have heard the learned advocates appearing on behalf of the respective parties and perused the papers of the investigation and considered the allegations levelled against the applicant and the role played by the applicant. The applicant is behind the bars for more than 3.5 years.
7. Considering the period of incarceration undergone by the present applicant and considering the affidavit filed by the investigation officer and at the time of submission of charge-

sheet, the investigation officer has heavily put reliance on the evidence of the 43 witnesses, out of which 13 witnesses have been examined, which would take considerable long period.

8. This Court has also 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 as well as in case of **Satender Kumar Antil v. Central Bureau of Investigation & Anr.** reported in (2022)10 SCC 51.
9. In the facts and circumstances of the case and considering the nature of the allegations made against the applicant in the FIR, 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.
10. Hence, the present application is allowed and the applicant is ordered to be released on regular bail in connection with FIR being C.R. No.I-11211040230055 of 2023 registered with the Panshina Police, Station, Surendranagar, on executing a personal bond of Rs.15,000/- (Rupees Fifteen 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 injuries to the interest of the prosecution;
 - [c] surrender passport, if any, to the lower court within a week;
 - [d] not leave the State of Gujarat without prior permission of the Sessions Judge concerned;

- [e] mark presence before the concerned Police Station on alternate Monday of every English calendar month for a period of six months between 11:00 a.m. and 2:00 p.m.;
 - [f] furnish the present address of residence to the Investigating Officer and also to the Court at the time of execution of the bond and shall not change the residence without prior permission of this Court;
11. 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 Judge concerned will be free to issue warrant or take appropriate action in the matter. Bail bond to be executed before the lower 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.
 12. At the trial, the trial Court shall not be influenced by the observations of preliminary nature qua the evidence at this stage made by this Court while enlarging the applicant on bail.
 13. The present application stands allowed accordingly. Direct service is permitted. Rule is made absolute to the aforesaid extent.

MEHUL B. TUVAR

(DIVYESH A. JOSHI,J)