IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/CRIMINAL MISC.APPLICATION (FOR REGULAR BAIL - AFTER CHARGESHEET) NO. 12462 of 2026

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HEMANG BHADRESHBHAI PATHAK

Versus

STATE OF GUJARAT

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Appearance:
MR. DEVANSH KAKKAD, ADVOCATE FOR MR. DENISH V MAVADHIYA(9207) for the Applicant(s) No. 1
MR. NEERAJ SHARMA, ADDL. PUBLIC PROSECUTOR for the Respondent(s) No. 1

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CORAM:**HONOURABLE MR. JUSTICE ILESH J. VORA**

Date : 03/06/2026

ORAL ORDER

1. Rule. Learned APP waives service of Rule on behalf of respondent State.

2. The applicant, by way of this application filed under Section 483 of the BNSS, seeks regular bail in connection with the **FIR being C.R. No. 11203055250397 of 2025 registered with Shil Police Station, Dist. Junagadh,** for the offences punishable under Sections 65(A), 65(e), 98(2) and 81 of the Gujarat Prohibition Act, 1949 and Sections 336(2), 336(3) and 340(2) of the BNS.

3. It is the submission of learned counsel for the applicant that he is suffering confinement since **30.03.2026.** He further submitted that the applicant has not played any vital role in the alleged offence. Hence, further detention of the applicant is

unwarranted.

4. Learned APP has opposed the bail application contending that, considering the conduct of the applicant and nature of accusation, the discretion may not be exercised in favour of the applicant.

5. Having heard the learned counsel for the respective parties and upon perusal of the material placed on record, it appears that the applicant herein was not found at the place. He has been arraigned in the offence on the basis of the statement of co-accused. The accused No. 5 has already been considered by this Court and in such circumstances, having regard to the past antecedents of the applicant, I deem it fit to exercise discretion in favour of the applicant by imposing stringent conditions, as keeping the applicant behind bars would not serve any useful purpose. Hence, the bail application is allowed.

In such circumstances, considering the role attributable to present applicant herein and evidence in support of charge, without commenting on merits of the matter, I deemed it fit to release the applicant on bail. Hence, present application is allowed.

6. Hence, the applicant is ordered to be released on regular bail in connection with the **FIR being C.R. No. 11203055250397 of 2025 registered with Shil Police Station, Dist. Junagadh,** on executing a personal bond of Rs.10,000/- (Rupees Ten thousands only), with one surety of the like amount to the satisfaction of the learned Trial Court and subject to the conditions that he shall:

No.	Conditions
(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 India without prior permission of the Sessions Judge concerned;
(e)	furnish latest 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 the trial Court;
(f)	Shall not enter in Junagadh City and District including Chorwad for a period of 1 years except for mark his presence before the concerned Court as well as Police Station, if any.

7. The authorities shall release the applicant if he is not required in connection with the any other offence. If breach of any above condition is committed, the Sessions Judge concerned shall take appropriate action or issue warrant against the applicant. The bail bond to be executed before the learned trial Court having jurisdiction to try the case. It will be open for the sessions judge concerned to delete, modify and/or relax any of the above conditions, in accordance with law. Nothing stated hereinabove, shall tantamount to the expression of any opinion on the merits of this case. Rule is made absolute to the aforesaid extent. Direct service permitted.

(ILESH J. VORA,J)

Mehul Desai

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: MEHULKUMAR BHIMABHAI DESAI(HCD0075), ENGLISH STENOGRAPHER GRADE TWO CLASS TWO, at High Court of Gujarat on 04/06/2026 11:09:55