IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/CRIMINAL MISC.APPLICATION (FOR REGULAR BAIL - BEFORE CHARGESHEET) NO. 12483 of 2026

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BHAGIRATH AMRUBHAI MOYA
Versus
STATE OF GUJARAT

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Appearance:
DENISH V MAVADHIYA(9207) for the Applicant(s) No. 1
MR NIRAJ SHARMA, APP for the Respondent(s) No. 1

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

Date : 04/06/2026

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. 11203008260042 of 2026 registered with Bilkha Police Station, Dist. Junagadh,** for the offences punishable under Sections 65(A), 65(e), 81 and 116(B) of the Prohibition Act.

3. It is the submission of learned counsel for the applicant that he was arrested on 13/05/2026. 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 role attributed to the present applicant is that he was the receiver of the contraband liquor. However, admittedly, the applicant has been arrested on the basis of the statement of the co-accused. In such aforesaid circumstances, when the custodial detention is not necessary, this Court is of the opinion that the applicant deserves to be enlarged on bail. The trial is likely to take considerable time to conclude. The applicant is readily available for the purpose of trial, and the prosecution has not pointed out any circumstance indicating that his further custodial detention is necessary. In such circumstances, continued incarceration of the applicant would not serve any useful purpose. Hence, the present application is allowed.

6. 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.

7. Hence, the applicant is ordered to be released on regular bail in connection with the **FIR being C.R. No. 11203008260042 of 2026 registered with Bilkha 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)	furnish latest address of residence along with cell number to the Investigating Officer and also to the Court within week from actual release and shall not change the residence without prior permission of the trial Court;
(e)	**shall not enter the territory of Bilkha Police Station for a period of 06 months except for attending the court proceedings or to mark his presence before the concerned police station if any.**

8. 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)

Kaushal Rathod

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: KAUSHAL MAHESHBHAI RATHOD(HCD0078), ENGLISH STENOGRAPHER GRADE TWO CLASS TWO, at High Court of Gujarat on 04/06/2026 11:10:57