IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR SUCCESSIVE REGULAR BAIL - AFTER CHARGESHEET) NO. 22965 of 2026

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MEGHJIBHAI @ MEGHRAJ VIKRAMBHAI SATKA
Versus
STATE OF GUJARAT

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Appearance:
MR. HARISINGH SODHA(17638) for the Applicant(s) No. 1
MS SHRUTI PATHAK, APP for the Respondent(s) No. 1

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CORAM:**HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR**

Date : 07/10/2026

ORDER

[1.0] Rule. Learned APP waives service of rule for the respondent-State.

[2.0] The present application is filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, "BNSS") for successive regular bail in connection with **FIR being C.R. No.11189006260286 of 2026** registered with **Tankara Police Station, Morbi**, for the offences punishable under Sections 65(a)(e), 81, 98(2) and 116(b) of Prohibition Act,

[3.0] Learned advocate appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the offence and now nothing is required to be recovered or discovered. He therefore submits that, considering the nature of the offence, the applicant may be enlarged on successive regular bail by imposing suitable conditions.

[4.0] Learned APP appearing on behalf of the respondent-State has opposed the present application and requested to dismiss the present application for successive regular bail looking to the nature and gravity of the offence.

[5.0] While granting bail, the Court has to consider the involvement of the accused in the alleged offence. The jurisdiction to grant bail has to be exercised on the basis of the well-settled principles having regard to the facts and circumstances of each case and the following factors are to be taken into consideration while considering an application for bail: (i) the nature of accusation and the severity of the punishment and the nature of the materials relied upon by the prosecution; (ii) reasonable apprehension of tampering with the witnesses and threat to the complainant or the witnesses; (iii) reasonable possibility of securing the presence of the accused at the time of trial or the likelihood of his abscondence; (iv) character, behaviour and standing of the accused and the circumstances which are peculiar to the accused; and (v) larger interest of the public or the State and similar other considerations are required to be considered.

[6.0] I have heard the learned advocates appearing on behalf of the respective parties and perused the investigation papers. Following aspects have been considered:

1. investigation is over and charge-sheet is filed;
2. None of the offences alleged is punishable with life sentence or death penalty;.
3. Applicant is behind the bars since 07.08.2026.
4. There is nothing to be recovered or discovered from the applicant.
5. Obviously, commencement and conclusion of trial will take some time.
6. It appears that the present applicant was proposed receiver of the prohibited liquor and he was going to distribute the same;

[7.0] This Court has also taken into consideration the law laid down by the Hon'ble Apex Court in ***Sanjay Chandra vs. Central Bureau of Investigation, (2012) 1 SCC 40*** **as well as in** ***Gudikanti Narasimhulu and Ors. vs. Public Prosecutor, High Court of Andhra Pradesh, (1978) 1 SCC 240.*** Obviously, the conclusion of trial will take time and keeping the accused behind the

bars amounts to pre-trial conviction. Therefore, considering the celebrated principle of bail jurisprudence that "bail is a rule and jail is an exception" as well as the concept of personal liberty guaranteed under Article 21 of the Constitution of India, the present application deserves consideration.

[8.0] 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 successive regular bail. Hence, the present application is allowed. The applicant is ordered to be released on successive regular bail in connection with **FIR being C.R. No.11189006260286 of 2026** registered with **Tankara Police Station, Morbi**, on executing a personal 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 following conditions:

(a) not take undue advantage of liberty or misuse liberty;

(b) not act in a manner injurious to the interest of the prosecution and shall not obstruct or hamper the police investigation and shall not play mischief with the evidence collected or yet to be collected by the police;

(c) surrender passport, if any, to the Trial Court within a week;

(d) not leave the State of Gujarat without prior permission of the Trial Court concerned;

(e) mark presence before the concerned Police Station once a month for six months between 11.00 a.m. and 2.00 p.m.;

(f) furnish the ***Aadhaar card, email ID/present address of his residence*** to the Investigating Officer and also to the Court at the time of execution of the bond and shall not change the ***residence/contact number*** without

prior permission of Trial Court;

(h) not enter Rajkot district for three except for marking presence and / or attending the court proceedings;

[9.0] 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.

[10.0] 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.

[11.0] 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.

[12.0] Rule is made absolute to the aforesaid extent. Direct service is permitted.

(HASMUKH D. SUTHAR,J)

KUMAR ALOK

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: ALOK KUMAR(HC01091), PRIVATE SECRETARY, at High Court of Gujarat on 07/10/2026 15:07:59