

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Criminal Miscellaneous Bail Application No. 367/2026

Bhal Singh @ Mas S/o Sh. Prithvi Singh, Aged About 30 Years,
Resident Of Ward No. 26, Bhadra Tehsil Bhadra District
Hanumangarh. (At Present Lodged In Sub Jail, Bhadra)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Vikas Bijarnia.
For Respondent(s)	:	Mr. Hanuman Singh, PP

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

25/02/2026

1. This application for bail has been filed by the petitioner under Section 483 of BNSS (old Section 439 of Cr.P.C.) in connection with FIR No. 134/2025 dated 22.03.2025, registered at Police Station Bhadra, District Hanumangarh for the offences under Sections 8 and 21 of the NDPS Act.
2. Learned counsel for the petitioner submits that the contraband allegedly recovered from the present petitioner is of below commercial quantity. He further submits that co-accused Bhup Singh, Balwan Singh and Suman @ Sheetal Agarwal have already been enlarged on bail. He also submits that there was no direct recovery of contraband from the present petitioner and he has been made accused only on the basis of statement of co-accused. The investigation is already concluded and challan has been filed. The petitioner is in judicial custody since 15.12.2025

and the trial will take sufficiently long time, therefore, he deserves to be enlarged on bail.

3. Per contra, learned Public Prosecutor vehemently opposes this bail application and submits that the petitioner is a prime accused in the present crime as he is the person who has sold the contraband to the other co-accused, who were arrested at the time when the contraband was recovered from the conscious possession. He further submits that there are as many as 04 NDPS cases pending against the present petitioner and therefore, he may not be enlarged on bail.

4. Heard learned counsel for both the parties and perused the material available on record.

5. It is to be noted that the contraband recovered from the co-accused weighing 7.82 grams of Heroin, is of below commercial quantity. The petitioner has been made accused under Section 8/29 of the NDPS Act on the basis of the statement of the co-accused. As many as four NDPS cases are pending against the petitioner, out of which three cases are registered under Section 8/29 of the NDPS Act. Therefore, this Court is not inclined to enlarge the petitioner on bail at this stage.

6. Accordingly, the bail application is dismissed.

(SUNIL BENIWAL),J