

RAJASTHAN HIGH COURT

सत्यमेव जयते

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

S.B. Criminal Miscellaneous Bail Application No. 1665/2026

Manoj S/o Shri Harish, Aged About 20 Years, R/o Siddapura,
Police Station Rathanjana,,district Pratapgarh, Rajasthan.
(Presently Lodged In Dist. Jail Pratapgarh)

-----Petitioner

Versus

Union Of India, Central Bureau Orf Narcotics.

-----Respondent

For Petitioner(s)	:	Mr. SK Bhati. Mr. Deepesh Gurjar.
For Respondent(s)	:	Mr. KS Nahar, SPP assisted by Mr. GS Shekhawat.

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

23/02/2026

The instant second application for bail under Section 483 of BNSS (439 of Cr.P.C.) has been filed by the petitioner, who has been arrested in the present matter. The requisite details of the matter are tabulated herein below:

S. No.	Particulars of the case	
1.	FIR Number	20/2025
2.	Police Station	C.B.N. Neemuch
3.	District	Pratapgarh
4.	Offences alleged in the FIR	Under Sections 8 and 18 of NDPS Act.
5.	Offences added, if any	-

The 1st bail application filed on behalf of petitioner i.e. S.B. Criminal Misc. Bail Application No.11810/2025 was dismissed vide order dated 20.11.2025 passed by this Court with the liberty to the petitioner to file fresh bail application after recording the statement of Seizure Officer. After rejection of first bail application, the

statement of Seizure Officer has been recorded. Hence, this second application for bail has been filed.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. As per the version of the Investigating Officer, the petitioner had no connection with the co-accused Hitesh, from whom the narcotic contraband was recovered. In fact, they were riding on separate motorcycles and no contraband was recovered from the motorcycle on which the petitioner was travelling. The relevant portion of the statement recorded by the Investigating Officer reads as follows:

"हितेश की मोटरसाईकिल के पीछे एक ओर मोटरसाईकिल थी जिस पर लखन और मनोज बैठे हुए थे। लखन और मनोज की मोटरसाईकिल से कोई मादक पदार्थ बरामद नहीं हुआ। जहां तक मेरे समक्ष कार्यवाही चली व मेरे अनुसंधान अधिकारी ने बयान लिये, ऐसी कोई स्वतंत्र साक्ष्य कि हितेश के साथ मनोज और लखन रवाना हुए हो. नहीं मिली। यह सही है कि मनोज व लखन की विभागीय अभिरक्षा में मेरे द्वारा बयान लिये गये उसके अलावा ऐसी कोई अन्य साक्ष्य नहीं थी कि मनोज और लखन, हितेश के साथ हो। आरोपीगण को रोकने और उनके बयान लेने के मध्य करीब 5 घण्टे का कारण समयान्तराल रहा। आरोपीगण के बयान नीमच ब्यूरो कार्यालय में लिये गये थे। आरोपीगण को मौके से मैं साथ लेकर ब्यूरो कार्यालय गया था। आरोपीगण के बयान जब मेरे द्वारा लिये गये तब वह विभागीय अभिरक्षा में थे। लखन और मनोज के संबंध में उनकी अपराध में संलिप्तता बाबत् मैंने केवल उनके बयानों को ही आधार माना था।"

It is further contended that the petitioner has no previous antecedents. The charge-sheet has already been filed and the petitioner has been in custody since 03.03.2025. The trial is likely to take considerable time, therefore, the benefit of bail may kindly be granted to the accused-petitioner

Per contra, learned Public Prosecutor has vehemently opposed the bail application. However, he is not in a position to refute the fact that petitioner has no previous antecedents.

Having heard and considered the rival submissions, facts and circumstances of the case as well as perused the material available on record; considering the fact that the petitioner is in custody since 03.03.2025, charge-sheet has already been filed and the trial will take sufficiently long time to conclude, without expressing any opinion on merits/demerits of the case, this Court is inclined to enlarge the petitioner on bail.

Consequently, the 2nd bail application under Section 483 of BNSS (439 of Cr.P.C.) is allowed. It is ordered that the accused-petitioner as named in the cause title, arrested in connection with the above mentioned FIR, shall be released on bail, if not wanted in any other case, provided he furnishes a personal bond of Rs.1,00,000/- and two sureties of Rs.50,000/- each, to the satisfaction of learned trial court, for his appearance before that court on each & every date of hearing and whenever called upon to do so till completion of the trial.

(MUKESH RAJPUROHIT),J