

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

S.B. Criminal Miscellaneous Bail Application No. 1849/2026

Prakash S/o Shri Parthu Lal Alias Prithu, Aged About 34 Years,
Resident of Salera, Police Station Gangrar, District Chittorgarh
Rajasthan (At Presently Lodged At Sub Jail Suratgarh)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. SR Godara
For Respondent(s)	:	Mr. Hathi Singh Jodha, PP

HON'BLE MR. JUSTICE PRAMIL KUMAR MATHUR

Order

24/02/2026

1. The petitioner has filed this bail application under Section 483 of BNSS in FIR No.04/2023 registered at Police Station Rajiasar, Sri Ganganagar for offence under Sections 8/15, 18, 29, 25 of NDPS Act.
2. Heard learned counsel for the petitioner as well as learned Public Prosecutor and perused the material available on record.
3. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. He further submits that nothing has been recovered from the conscious possession of the present petitioner and the contraband 80 Kg. Poppy-straw (above commercial quantity) and 320 gram Opium (below commercial quantity) was recovered from conscious possession of persons namely Dinesh, Ram Kumar and Rohitash who have been enlarged on bail by a Coordinate Bench of this Court on 18.12.2024. The co-accused Barkat Ali who has been roped in the case under

Section 29 of NDPS Act also got the benefit of bail on 30.01.2026. He further argued that the case of petitioner is on equal footing with the co-accused. He again submits that the petitioner is behind the bars since 16.01.2025. Though, two cases of similar nature are pending against the petitioner but in that cases, he is on bail. The trial of the case may take considerable time and no further custodial interrogation is required, hence on the ground of parity, the bail application of the petitioner may be allowed.

4. Learned Public Prosecutor has vehemently opposed the bail application.

5. On consideration of the rival submissions and material available on record and in the light of submission made by learned counsel for the petitioner especially on the ground of parity but without expressing any opinion on merits/demerits of the case, I am inclined to grant benefit of bail to the petitioner.

6. Consequently, the bail application under Section 483 B.N.S.S. is allowed and it is directed that the petitioner **Prakash S/o Shri Parthu Lal Alias Prithu** be released on bail provided he furnishes a personal bond in the sum of Rs.50,000/- with two sureties in the sum of Rs.25,000/- each to the satisfaction of the learned trial court with the stipulation that he shall appear before that Court on all subsequent dates of hearing till conclusion of the trial.

(PRAMIL KUMAR MATHUR),J