

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

S.B. Criminal Miscellaneous Bail Application No. 1935/2025
Chhitarmal S/o Bhanwar Lal, Aged About 40 Years, R/o Bagoda,
Singholi, Neemuch. (At Present Lodged In Central Jail Jodhpur)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s) : Mr. Kailash Chowdhary
For Respondent(s) : Mr. Urja Ram Kalbi, PP

HON'BLE DR. JUSTICE NUPUR BHATI

Order

17/07/2025

1. Heard learned counsel for the parties and perused the material available on record.
2. The present bail application has been filed under Section 483 of Bhartiya Nagarik Suraksha Sanhita (B.N.S.S.), 2023 on behalf of the petitioner, who is in custody in connection with F.I.R. No.131/2024 dated 02.06.2024, registered at Police Station Luni, District Jodhpur, for the offences under Sections 8/18 and 29 of NDPS Act.
3. Learned counsel for the petitioner submits that the contraband in question is below commercial quantity and the co-accused Mukesh has been enlarged on bail by a Coordinate Bench of this Court in CRLMB No.9215/2024 vide order dated 16.08.2024. He further submits that charge-sheet has been filed and there is no recovery due against the petitioner. He also submits that the petitioner has one antecedent of similar nature in which also the contraband in question is below commercial quantity and the petitioner has been enlarged on bail by a Coordinate Bench of this Court in CRLMB No.1872/2022 vide order dated 16.06.2022 while taking into consideration that the

contraband was not recovered from the possession of the petitioner. He further submits that the petitioner is in judicial custody since 12.01.2025 and the trial of the case will take long time, therefore, the petitioner may be enlarged on bail.

4. Per contra, learned Public Prosecutor opposed the bail application, however, is not in a position to refute that the co-accused has been enlarged on bail; contraband in present case as well as in previous case is below commercial quantity in which the petitioner has been enlarged on bail and charge-sheet has been filed.

5. Having regard to the entirety of facts and circumstances of the case as available on record and looking to the fact that the trial will consume time, thus, without expressing any opinion on the merits/demerits of the case, this Court is of the opinion that the petitioner deserves to be released on bail.

6. Accordingly, the bail application filed under Section 483 of Bhartiya Nagarik Suraksha Sanhita (B.N.S.S.), 2023 is allowed and it is ordered that the accused-petitioner **Chhitarmal S/o Bhanwar Lal**, arrested in relation to F.I.R. No.131/2024 dated 02.06.2024, registered at Police Station Luni, District Jodhpur, shall be enlarged on bail provided he furnishes a personal bond in sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the learned trial Judge for his appearance before the Court concerned on all the dates of hearing as and when called upon to do so.

(DR. NUPUR BHATI),J