

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

S.B. Criminal Miscellaneous Bail Application No. 2168/2026

Pappu Ram S/o Shri Dau Ram, Aged About 50 Years, Resident Of
Mindoli At Present Todiya Police Station Asop District Jodhpur.
At Present Lodged In Central Jail, Jodhpur.

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. J.K. Suthar
For Respondent(s)	:	Mr. Sameer Pareek, PP

HON'BLE MR. JUSTICE PRAMIL KUMAR MATHUR

Order

26/02/2026

1. The petitioner has filed this bail application under Section 483 of BNSS in FIR No.12/2026 registered at Police Station Asop, District Jodhpur for offence under Section 8/18 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 the petitioner is booked for cultivation of 320 opium plants, which is prohibited under Section 8(b) of the NDPS Act. He again submits that as per NDPS Act there is no prescribed quantity for cultivation of opium poppy that can be treated as either small or commercial quantity. Section 18 of the NDPS Act, which discusses the punishment for contravention in relation to opium poppy and opium, prescribes punishment for small quantity in sub-clause (a), for commercial quantity in sub-clause (b) and all other cases are

covered under sub-clause (c). Thus, the corresponding punishment-prescribing provision for offence under Section 8(b) would be Section 18(c). Therefore, it can be safely inferred from the above that the restriction contained under Section 37 of provision of bail will not operate in the present case. He further argued that the petitioner is behind the bars since 31.01.2026 without any criminal past. The trial of the case may take considerable time and no further custodial interrogation is required, hence 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 petitioners 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 **Pappu Ram S/o Shri Dau Ram**, 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