

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 2245/2025

Deepak S/o Sh. Jagannath, Aged About 21 Years, R/o
Doulatapura, Ps Bhadesar, Dist. Chittorgarh, Raj. (Lodged In
Dist. Jail Chittorgarh)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Shyam Sunder Paliwal Mr. Deepak Saraswat
For Respondent(s)	:	Mr. Sameer Pareek, 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.126/2024 dated 10.08.2024, registered at Police Station Shambhupura, District Chittorgarh, for the offences under Sections 8/15, 29 of NDPS Act.
3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case while alleging that when Police patrolling team tried to stop a Maruti Omni Van, its driver fled away from the spot. When Police searched the said Omni van, contraband was found in it and the petitioner has been implicated in this case. He further submits that the main accused in the case is Maan Singh. He further submits that the contraband was

recovered in an abandoned state. While drawing attention of this Court towards the charge-sheet, learned counsel submits that there are three sim issued in the name of petitioner i.e. 6367955048, 7339790299 and 6377506171. He further submits that in the charge-sheet, it is indicated that the sim number at serial no. 4 i.e. 8529218655 was issued in the name of Nar Singh S/o Ram Lal, was used by the petitioner to converse with the co-accused Maan Singh. He further submits that in the charge-sheet, there is no finding or indication given that under what circumstances, a sim which was issued to Nar Singh was used by the petitioner bearing number 8529218655. He further submits that there is no recovery due against the petitioner and no previous antecedents of similar nature is pending against the petitioner. He further submits that the petitioner is in judicial custody since 05.09.2024 and 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 contraband was recovered from a van in an abandoned state; no recovery is due against the petitioner and no previous case of similar nature is pending against the petitioner.

5. In view of above and, 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 and 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 under Section 483 of Bhartiya Nagarik Suraksha Sanhita (B.N.S.S.), 2023 is allowed

and it is ordered that the accused-petitioner **Deepak S/o Sh. Jagnnath**, arrested in relation to F.I.R. No.126/2024 dated 10.08.2024, registered at Police Station Shambhupura, District Chittorgarh, 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

5-amit/-