

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 3401/2026
CNR: RJHC010166752026 | URN: CRLMB / 7814U / 2026

Raju Jat S/o Shri Bardi Chand, Aged About 35 Years, R/o
Raghunathpura , (Bholikheda), Ghanapur Police Station And
District Bhilwara (Lodged In Dist. Jail, Bhilwara)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. KL Vishnoi Mr. Pritam Solanki
For Respondent(s)	:	Mr. Hanuman Prajapati, PP

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

05/08/2026

Heard learned counsel for the parties, and perused the material available on record.

The petitioner has been arrested in connection with FIR No.208/2023 of Police Station Gangapur, District Bhilwara for the offences punishable under Sections 8/20 and 29 of NDPS Act. He has preferred this bail application under Section 483 of BNSS.

Learned counsel for the petitioner submits that the alleged contraband in question, namely ganja weighing 169.460 kg, was not recovered from the petitioner but from the possession of Rajendra Choudhary and Shiv Lal, from the car in which they were travelling. He further submits that the allegation against the petitioner is that he was escorting the said Brezza car on his motorcycle, from which the recovery was effected. He further

submits that the petitioner has been arraigned as an accused solely on the basis of the statement of co-accused Nirmal, who stated that the petitioner was escorting his Swift car on a motorcycle and thereafter abandoned the motorcycle and fled from the spot. On the basis of the said allegation, an offence under Section 29 of the NDPS Act has been invoked against the petitioner. He further submits that there is nothing on record to connect the petitioner with the alleged offence. He also submits that the co-accused, namely Nirmal, Lokesh, Sanjay, Bhaguram Teli and Dinesh @ Balram, have already been enlarged on bail in S.B. Criminal Misc. Bail Application Nos. 8879/2024, 6991/2025, 14053/2024, 14796/2025 and 782/2025 vide orders dated 08.01.2026, 25.03.2026 and 02.04.2025, respectively.

It is also submitted that the conclusion of the trial is likely to take a considerable amount of time.

Per contra, learned Public Prosecutor has vehemently opposed the bail application.

This Court has considered the arguments advanced by learned counsel for the petitioner and finds that the alleged contraband in question, namely ganja weighing 169.460 kg, was not recovered from the petitioner but from the possession of Rajendra Choudhary and Shiv Lal, from the car in which they were travelling. Further, the allegation against the petitioner is that he was escorting the said Brezza car on his motorcycle, from which the recovery was effected. The petitioner has been arraigned as an accused on the basis of the statement of co-accused Nirmal, who stated that the petitioner was escorting his Swift car on a

motorcycle and thereafter abandoned the motorcycle and fled from the spot. On the basis of the said allegation, an offence under Section 29 of the NDPS Act has been invoked against the petitioner. This Court further finds that there is nothing on record to connect the petitioner with the alleged offence. Moreover, co-accused Nirmal, Lokesh, Sanjay, Bhaguram Teli and Dinesh @ Balram have already been enlarged on bail. The case of the petitioner stand on a similar footing to that of the co-accused.

Having regard to the material presently available on record, the absence of recovery from the conscious possession of the petitioner, the nature of the evidence collected during investigation, this Court is of the prima facie opinion that reasonable grounds exist for believing that the petitioner may not be guilty of the alleged offence. There is also nothing on record to indicate that, if released on bail, he is likely to commit any offence while on bail. Consequently, for the limited purpose of deciding the present application, the rigours contained in Section 37 of the NDPS Act stand satisfied.

Hence, keeping in view of the fact that conclusion of the trial of the case is likely to take time and the prosecution has not shown any apprehension of the petitioner fleeing away from justice, in case he is enlarged on bail and without expressing any opinion on the merits of the case, this Court deems it just and proper to grant bail to the petitioner under Section 483 of BNSS.

Accordingly, this bail application filed under Section 483 of BNSS is **allowed** and it is directed that petitioner – **Raju Jat S/o Bardy Chand**, shall be released on bail in connection with

aforesaid FIR, if not wanted in any other case, provided he executes a personal bond in the sum of Rs.1,00,000/- with two sound and solvent sureties of Rs.50,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

It is, however, made clear that the observations made herein are only for the purpose of deciding the present bail application and shall not be construed as an expression of opinion on the merits of the case. The learned trial Court shall decide the matter independently, uninfluenced by any observations contained in this order.

(BALJINDER SINGH SANDHU),J