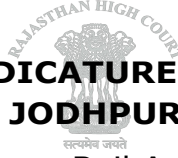




**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**



S.B. Criminal Miscellaneous Bail Application No. 2194/2025

Bheru Lal S/o Nagjiram, Aged About 27 Years, R/o Akhepur,m
P.s. Kotdi, Dist Bhilwara (Raj) (At Present Lodged In Jail
Bhilwara)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. R.S. Bhati.
For Respondent(s)	:	Mr. P.S. Panwar, P.P.

HON'BLE DR. JUSTICE NUPUR BHATI

Order

09/05/2025

1. Heard learned counsel for the parties as well as perused the material available on record.
2. The instant bail application has been filed by petitioner under Section 483 B.N.S.S. in connection with FIR No.158/2021 dated 29.09.2021 registered at Police Station Bigod, District Bhilwara for the offence under Section 8/25, 8/15 & 8/29 of the NDPS Act.
3. Learned counsel for the petitioner submits that the main accused Yogesh Suthar and Bharat Kumar Dhakad, from whose conscious possession the contraband was recovered, have been enlarged on bail in S.B. Crl. Misc. 2nd Bail Application Nos.3471/2024 & 3097/2024 by the Coordinate Bench vide orders dated 09.04.2024 & 18.03.2024 respectively. He further submits that the other co-accused Dayaram Suthar, who was implicated in the case with the aid of Section 29 of the NDPS Act has also been enlarged on bail by the Coordinate bench of this Court in S. B. Crl.



Misc. 2nd Bail Application No.5464/2023 on 31.05.2023. He also submits that the other co-accused namely Balkishan Balu Dhakad, Gopal Lal and Ramkishan Gurjar (owner of the vehicle from which the contraband was recovered) have also been enlarged on bail in SBCRLMB Nos.8031/2022, 7204/2022, 8033/2022 vide common order dated 05.04.2023 respectively. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case upon information received under Section 27 of the Evidence Act from main accused persons namely Yogesh Suthar, Bharat Kumar Dhakad & co-accused Ramkishan Gurjar (owner of the vehicle). He further submits that no recovery has been effected from the petitioner and the petitioner's name was also not present in the FIR. Learned counsel for the petitioner submits that the petitioner does not have any previous criminal antecedent and thus, the petitioner deserves to be enlarged on bail.

4. Learned Public Prosecutor opposes the bail application, however, is not in a position to refute that main accused Yogesh Suthar, Bharat Kumar Dhakad and co-accused Dayaram Suthar, Balkishan Balu Dhakad, Gopal Lal and Ramkishan Gurjar have been enlarged on bail and the petitioner has been implicated upon disclosure information of the main accused i.e. Yogesh Suthar & Bharat Kumar Dhakad and no recovery was effected from the possession of 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 B.N.S.S. is allowed and it is ordered that the accused-petitioner **Bheru Lal S/o Nagjiram** arrested in relation to FIR No.158/2021 dated 29.09.2021 registered at Police Station Bigod, District Bhilwara, 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

34-pradeep/-