

RAJASTHAN HIGH COURT

HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 2494/2026

Mohammad Yusuf S/o Babu Mohammad, Aged About 30 Years,
Resident Of Village Mangrol, Tehsil Nimbahera Distt. Chittorgarh
Raj. (Presently Lodged In District Jail Chittorgarh)

-----Petitioner

Versus

Union Of India, Through CBN

-----Respondent

For Petitioner(s)	:	Mr. Zeeshan Ali Mr. Aslam Khan
For Respondent(s)	:	Mr. K.S. Nahar Mr. G.S. Shekhawat

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT
Order

09/03/2026

This second application for bail under Section 483 of BNSS (439 Cr.P.C.) has been filed by petitioner who has been arrested in the present matter. The requisite details of the matter are tabulated herein below:

S. No.	Particulars of the case	
1.	FIR/Crime Number	09/2025
2.	Police Station	C.B.N.
3.	District	Kota
4.	Offences alleged in the FIR	Sections 8/15, 8/25, 8/29 of NDPS Act
5.	Offences added, if any	--

The 1st bail application filed on behalf of petitioner i.e. S.B. Criminal Misc. Bail Application No.13381/2025 was dismissed vide order dated 16.12.2026, passed by this Court with the liberty to the petitioner to file fresh bail application after change in circumstance. It is submitted that after rejection of first bail application, challan has been filed. Hence, this second application for bail has been filed.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. The contraband was recovered from Gopal and Kishanlal. The petitioner has been enroled in this case only on the basis of statement of co-accused Gopal and Krishanlal.

Learned counsel for the petitioner submits that the petitioner works as a labour with Kamal Jat and as per the statement of Gopal and Kishanlal, the contraband belongs to Kamal Jat and the petitioner on the instructions of Kamal Jat alongwith four other workers loaded the subject contraband in the vehicle.

Learned counsel further drew the attention of this Court towards the conclusion of investigation and submits that after a thorough investigation it was found that no unusual payment/transaction was found in the bank account of the petitioner.

The relevant extract of complaint filed by CBN is reproduced as under:

"यह कि मुझ निरीक्षक/अनुसंधान अधिकारी द्वारा दिनांक 08.10.2025 को श्रीमान् शाखा प्रबंधक, युनियन बैंक ऑफ इंडिया, जिला-चित्तौड़गढ़ को युसुफ पिता बाबू द्वारा किये वित्तिय लेन देन की जानकारी उपलब्ध करवाने हेतु पत्र लिखा गया एवं दिनांक 20.04.2025 से 27.04.2025 तक के लेन देन का बैंक स्टेटमेन्ट प्राप्त किया गया। प्राप्त जानकारी के अनुसार युसुफ पिता बाबू के बैंक खाते में कोई भी असामान्य वित्तिय लेन देन होना नहीं पाया गया है। भेजा गया पत्र एवं प्राप्त जानकारी शामिल परिवाद है।"

Learned counsel further submits that the petitioner has no previous criminal antecedent of similar nature. The challan has already been filed and the petitioner has been in custody since 18.09.2025. The trial of case will take sufficiently long time, therefore, benefit of bail may be granted to accused-petitioner.

Per contra, learned Public Prosecutor has vehemently opposed second bail application. However, he is not in a position to refute the fact that the contraband in question belongs to Kamal Jat and the petitioner acted only on the instructions of Kamal Jat and loaded the contraband in the vehicle.

Having heard and considered the rival submissions, facts and circumstances of the case as well as perused material available on record; considering the fact that petitioner is a labour and works for Kamal Jat and loaded the contraband in vehicle upon the instructions of Kamal Jat: petitioner has no previous criminal antecedent of similar nature; challan has already been filed; petitioner has been in custody since 18.09.2025 and trial of the case will take sufficiently long time; without expressing any opinion on merits/demerits of the case, this Court is inclined to enlarge petitioner on bail.

Consequently, second bail application under Section 483 of BNSS (439 Cr.P.C.) is allowed. It is ordered that accused-petitioner as named in the cause title, arrested in connection with above mentioned FIR, shall be released on bail, if not wanted in any other case, provided he furnishes a personal bond of Rs.1,00,000/- and two sureties of Rs.50,000/- each, to the satisfaction of learned trial court, for his appearance before that court on each & every date of hearing and whenever called upon to do so till completion of the trial.

(MUKESH RAJPUROHIT),J