

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

S.B. Criminal Miscellaneous Bail Application No. 3502/2026
Ashok Kumar S/o Phoolaram, Aged About 32 Years, Resident Of
Satheran, Police Station Shri Balaji, District Nagaur, Rajasthan
(Presently Lodged In Distt. Jail, Phalodi)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s)	:	Mr. Ashok Bishnoi
For Respondent(s)	:	Mr. Prem Singh, PP

HON'BLE MR. JUSTICE PRAVEER BHATNAGAR

Order

25/03/2026

1. The instant bail application has been filed under Section 483 BNSS on behalf of accused-petitioner. The accused-petitioner has been arrested in connection with FIR No. 47/2024 registered at Police Station Bhojasar, District Phalodi for the offences under Section 8/22 of NDPS Act.
2. Learned counsel for the accused-petitioner submits that the accused-petitioner has falsely been implicated in this case for the offences under Sections 8/22, 29 of NDPS Act. He further contended that the recovery of contraband article was effected from other co-accused Bhoma Ram. It is further contended that after chemical analysis, the recovered contraband was found to be MD and not MDMA. The quantity of recovered contraband MD from other co-accused is 25.90 gram which is below commercial quantity, who has already been enlarged on bail by a Coordinate Bench of this Court vide order dated 18.06.2024. It is further argued that no recovery was effected from the possession of accused-petitioner though, there are criminal antecedents against the petitioner under Section 8/29 of NDPS Act and other IPC

offences, however, apart from the disclosure statement, there is no substantive evidence available on record against the petitioner. The accused-petitioner is in custody since long and the trial of the case may take considerable time, therefore, the bail application of the accused-petitioner may be allowed.

3. Learned Public Prosecutor has vehemently opposed the bail application.

4. Heard and perused the material available on record.

5. Considering the fact that the contraband article was recovered from co-accused Bhoma Ram, who has already been enlarged on bail by a Co-ordinate Bench of this Court and apart from the disclosure statement of the said co-accused, there is no substantive material available on record against the petitioner. The accused-petitioner is in custody since long and the trial of the case may take considerable time, without commenting anything on the merits of the case, I deem it just and proper to enlarge the accused-petitioner on bail.

6. Accordingly, the bail application under Section 483 BNSS is allowed and it is ordered that the accused-petitioner **Ashok Kumar S/o Phoolaram**, in connection with FIR No. 47/2024 registered at Police Station Bhojasar, District Phalodi shall be enlarged on bail provided he furnishes a personal bond in the 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 and as and when called upon to do so.

(PRAVEER BHATNAGAR),J