

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 5244/2026

Sharafat Ali S/o Kishor @ Nisar Ali, Aged About 39 Years,
Musalmano Ka Mohalla Chikarda, Police Station Mandfiya, District
Chittorgarh, Rajasthan. (At Present Lodged In Dist. Jail,
Chittorgarh)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. B.P. Rathore Mr. C.S. Rathore
For Respondent(s)	:	Mr. Urja Ram Kalbi, PP

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT
(VACATION JUDGE)
Order

18/06/2026

This application for bail under Section 483 of BNSS (439 Cr.P.C.) has been filed by the 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 Number	47/2026
2.	Police Station	Mangalwad
3.	District	Chittorgarh
4.	Offences alleged	Sections 8 & 22 of NDPS Act

Learned counsel for the petitioner submitted that allegation against present petitioner is false and fabricated. It is further submitted that, as per the prosecution case, the contraband allegedly recovered in the present matter, weighing 16.34 grams, was stated to be MDMA. However, the Forensic Science Laboratory (FSL) report reveals that the contraband recovered in the present

case is MD and not MDMA. It is also submitted that, under the NDPS Act, the commercial quantity for MDMA is 10 grams, whereas the commercial quantity for MD is 50 grams. Thus, since the contraband recovered in the present case has been identified as MD and its weight is only 16.34 grams, the alleged recovery is below commercial quantity. Moreover, petitioner has been in custody since 21.03.2026 and further investigation and trial of case will take sufficiently long time, therefore, benefit of bail may be granted to accused-petitioner.

Per contra, learned Public Prosecutor has opposed present bail application, however, he does not refute the fact that recovered contraband is MD and the same is below commercial quantity.

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 narcotic contraband recovered in this case is below commercial quantity; petitioner has been in custody since 21.03.2026 and further investigation and trial of case will take significant time; without expressing any opinion on merits/demerits of the case, this Court is inclined to enlarge petitioner on bail.

Consequently, bail application under Section 483 of BNSS (439 Cr.P.C.) is allowed. It is ordered that the accused-petitioner as named in the cause title, arrested in connection with the 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), VJ

64-mSingh/-