



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



S.B. Criminal Miscellaneous Bail Application No. 5449/2026

CNR: RJHC010420152026

URN: CRLMB / 12208U / 2026

Sudesh Kumar S/o Dalip Kumar, Aged About 38 Years, Resident Of 13 Ksd Dhani, Gram Panchayat Alipura Police Station Sadulshahar District Sri Ganganagar. (At Present Lodged In Sub Jail, Sadulshahar).

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Sunil Bishnoi
For Respondent(s)	:	Mr. H.S. Jodha, PP

HON'BLE MR. JUSTICE SANDEEP SHAH

Order

10/07/2026

1. The applicant has filed the present bail application under Section 483 of BNSS being aggrieved against the order dated 18.04.2026 passed by the learned Additional Session Judge, Sadulshahar, District Sriganganagar, in Criminal Misc. Case No.86/2026, whereby the bail application filed by the accused-applicant under Section 483 B.N.S.S. was rejected. The accused-applicant is behind the bars, pursuant to the F.I.R. No.149/2026 registered at Police Station Sadulshahar, District Sriganganagar against the accused-applicant for offences punishable under Sections 8/15 of NDPS Act 1985.

2. Learned counsel for the applicant submits that the narcotic substance recovered from the applicant is below the threshold



limit of commercial quantity, inasmuch as 8.710 kg of poppy straw has been recovered from the applicant, whereas the commercial quantity prescribed is 50 kg. He further submits that the charge-sheet has already been filed and the trial is likely to take a sufficiently long time to conclude. He, therefore, implores this Court to allow the present bail application

3. Per contra, learned Public Prosecutor opposes the bail application and submits that there are two other cases pending against the applicant for the same offence. However, he is not in a position to dispute the fact that the narcotic substance recovered from the applicant is below the threshold limit of commercial quantity.

4. Heard learned counsel for the applicant as well as the learned Public Prosecutor and perused the material available on record.

5. Having considered the arguments advanced by learned counsel for the parties and having regard to the facts and circumstances of the case, more particularly the facts that the recovered contraband is below the threshold limit of commercial quantity, the charge-sheet has already been filed, the trial is likely to take a sufficiently long time to conclude, and further, as far as the two pending cases pertaining to the same offence are concerned, they are of the remote past and would not constitute an impediment since the charge-sheet has already been filed, this Court prima facie finds it to be a fit case to enlarge the accused-applicant on bail.



6. Thus, without expressing any opinion on merits/demerits of the case, this Court is inclined to enlarge the accused-applicant on bail.

7. Consequently, the bail application under Section 483 B.N.S.S. is **allowed**. It is ordered that the accused-applicant; ***Sudesh Kumar S/o Dalip Kumar***, arrested in connection with F.I.R. No.149/2026 registered at Police Station Sadulshahar, District Sriganganagar, shall be released on bail, if not wanted in any other case, provided he furnishes a personal bond of Rs.50,000/- and two sureties of Rs.25,000/- 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.

8. It is further, made clear that findings recorded/observations made herein-above are for limited purposes of adjudication of bail application and the same shall not prejudice the trial of the case in any manner.

(SANDEEP SHAH),J