

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

S.B. Criminal Miscellaneous Bail Application No. 5941/2026

Kalu Lal alias Dali Chand S/o Chunni Lal, Aged About 35 Years, R/o
Badgaon Purohitan, Police Station Vallabh Nagar, District Udaipur.
(At Present Lodged In Central Jail, Udaipur)

-----Petitioner

Versus

State Of Rajasthan, Through PP

-----Respondent

For Petitioner(s)	:	Mr. Manphool
For Respondent(s)	:	Mr. Pawan Kumar Bhati, PP

HON'BLE MR. JUSTICE CHANDRA SHEKHAR SHARMA
Order

08/05/2026

The present bail application has been preferred by the petitioner under Section 483 of BNSS (Old Section 439 Cr.P.C.) in connection with FIR No.14/2025 registered at Police Station Vallabh Nagar, District Udaipur for the offences punishable under Section 8/15 of the NDPS Act.

2. Heard learned counsel for the petitioner and learned Public Prosecutor. Perused the material available on record.

3. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the matter. He further submits that no contraband was recovered from the conscious possession of present petitioner. The co-accused Goverdhan, who was present at the spot during the alleged recovery, has already been enlarged on bail by the co-ordinate Bench of this Court while deciding S.B. Criminal Misc. Bail Application No.3327/2025 vide order dated 04.08.2025. Similarly situated co-accused Vipin S/o Mangu Giri has also been enlarged on bail by the co-ordinate Bench of this Court while deciding S.B. Criminal Misc. Bail Application No.10340/2025 vide order dated 21.04.2026. Learned counsel

submits that PW-1 Dinesh, Investigating Officer, admitted in his cross-examination that Petitioner- Kalulal who was not present at the spot during the alleged recovery and was also alleged to be working as *sijari*, however, no written document to this effect was produced. Learned counsel submits that the petitioner is in judicial custody since long and the trial of the case will take sufficiently long time, therefore, the benefit of bail may be granted to the accused-petitioner.

4. Per contra, learned Public Prosecutor has vehemently opposed the bail application.

5. Having considered the rival submissions advanced by learned counsel for the parties, the facts and circumstances of the case, and the fact that similarly situated co-accused have already been enlarged on bail, and further taking note of the deposition of PW-1 Dinesh, Investigating Officer, who in his cross-examination admitted that the petitioner, Kalulal, was neither present at the spot at the time of the alleged recovery nor is there any documentary material on record to substantiate the allegation that he was working as a *sijari*, this Court is of the considered view that a case for grant of bail is made out. Accordingly, without expressing any opinion on the merits/demerits of the case, the petitioner deserves to be enlarged on bail.

6. Consequently, the bail application under Section 483 of BNSS (Old Section 439 Cr.P.C.) is allowed. It is ordered that the accused-petitioner **Kalu Lal alias Dali Chand S/o Chunni Lal**, arrested in connection with FIR No. 14/2025 registered at Police Station Vallabh Nagar, District Udaipur shall be released on bail 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.

(CHANDRA SHEKHAR SHARMA),J

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