

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

S.B. Criminal Miscellaneous Bail Application No. 8091/2026

Devkishan Alias Pappu Lohar S/o Ratan Lal Lohar, Aged About 32 Years, R/o Sagwariya, at Present Chobe Ji Ka Kanthariya, police Station Bhadeser, district Chittorgarh, rajasthan (Lodged In District Jai, chittorgarh)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. B.R. Bishnoi
For Respondent(s)	:	Mr. S.S. Rathore, PP

**HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU
(VACATION JUDGE)**

Order

22/06/2026

This application for bail under Section 483 of the BNSS has been filed by the petitioner, who has been arrested in connection with F.I.R. No.173/2025 registered at Police Station Chanderiya, District Chittorgarh, for the offences punishable under Sections 8/18 and 8/29 of the NDPS Act.

Learned counsel for the petitioner submits that, in the present case, the contraband recovered is 2 kg 690 grams of Opium Poppy from the possession of co-accused Manohar Lal. It is submitted that the said contraband was recovered from Manohar Lal and not from the present petitioner. The petitioner has been implicated solely on the basis of the statement of the co-accused, and apart from the said statement, there is no other evidence directly linking the petitioner with the alleged offence. It is further

submitted that although the recovered contraband is of commercial quantity, the same is only marginally above the prescribed commercial quantity of 2.5 kg of Opium Poppy. Learned counsel further submits that the petitioner is alleged to have supplied the said contraband and that merely on the basis of the statement of the co-accused, he cannot be implicated. It is also submitted that the charge-sheet has already been filed and nothing has been recovered from the petitioner. The petitioner is in judicial custody since 15.04.2026, and the trial of the case is likely to take considerable time to conclude. Furthermore, the petitioner has no criminal antecedents and therefore, it cannot be said that he is likely to misuse the liberty of bail or indulge in trafficking of contraband. Accordingly, it is prayed that the benefit of bail be granted to the accused-petitioner.

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

Heard learned counsel for the petitioner and perused the material available on record. The charge-sheet filed against the petitioner reflects that the alleged involvement of the petitioner is based upon the statement of the co-accused, wherein the Investigating Agency has found that the said contraband was supplied by the petitioner. However, nothing has been recovered from the petitioner, and no other material indicating his involvement has been found by the Investigating Agency.

Further, the contraband recovered from the co-accused is only marginally above the prescribed commercial quantity by 190

grams and the said contraband was recovered from the possession of Manohar Lal not from the petitioner. The petitioner is in judicial custody since 15.04.2026 and there are no criminal antecedents, therefore it cannot be stated that the petitioner would in any manner misuse the liberty of bail or indulge in trafficking of contraband. The charge-sheet in the matter has already been filed and the trial is likely to take considerable time to conclude. Hence, without expressing any opinion on the merits or demerits of the case, this Court is inclined to enlarge the petitioner on bail.

Consequently, the bail application under Section 483 of the BNSS is **allowed**. It is ordered that the accused-petitioner, **Devkishan Alias Pappu Lohar S/o Ratan Lal Lohar**, arrested in connection with **F.I.R. No.173/2025** registered at Police Station Chanderiya, District Chittorgarh, shall be released on bail, if not wanted in any other case, provided he furnishes a personal bond in the sum of Rs.1,00,000/- and two sureties in the sum of Rs.50,000/- each, to the satisfaction of the learned trial Court, for his appearance before that Court on each and every date of hearing and whenever called upon to do so till the conclusion of the trial.

(BALJINDER SINGH SANDHU),VJ