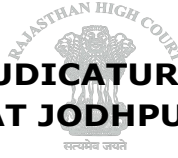




**HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR**



S.B. Criminal Miscellaneous Bail Application No. 8243/2026
CNR: RJHC010592242026
URN: CRLMB / 17917U / 2026

Rajesh Kumar Alias Raju Ram S/o Pancha Ram, Aged About 35 Years, R/o Bhunkaro Ka Tala Mithara Khurd, Police Station Dhorimana, District Barmer. (At Present Lodged Sub Jail Sanchore)

-----Petitioner

Versus

State Of Rajasthan, Through PP

-----Respondent

For Petitioner(s)	:	Mr. Dinesh Vishnoi
For Respondent(s)	:	Mr. Surendra Bishnoi, PP

HON'BLE MR. JUSTICE SANDEEP SHAH
Order

16/07/2026

1. The applicant has filed the present bail application under Section 483 of BNSS being aggrieved against the order dated 13.06.2026 passed by the learned Special Judge, NDPS Act Cases, Bhinmal, District Jalore, in Criminal Misc. Case No.324/2026, 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.57/2022 registered at Police Station Sanchor, District Jalore against the accused-applicant for the offence punishable under Sections 8/22 of NDPS Act 1985.

2. Learned counsel for the applicant submits that the contraband in question has been recovered from co-accused Ramgopal, who has already been enlarged on bail by Coordinate Bench of this Court, vide order dated 08.04.2022 passed in S.B. Criminal Miscellaneous Bail Application No.4346/2022 (Ramgopal



v. State of Rajasthan). He submits that the accused-applicant has been implicated solely on the basis of the statement of co-accused Ramgopal. He also submits that the recovered contraband is below commercial quantity, inasmuch as 25 grams of Mephedrone (MD) has been recovered, whereas the threshold limit for commercial quantity is 50 grams. He further submits that the accused-applicant is behind the bars since 18.03.2026. He further submits that the charge-sheet has already been filed and the trial is likely to take 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 the accused-applicant has criminal antecedents, inasmuch as one more case under the provisions of the NDPS Act, 1985 is pending against the accused-applicant. However, he is not in a position to dispute the fact that the recovery was effected from co-accused Ramgopal, who has already been enlarged on bail by Coordinate Bench of this Court, nor does he dispute that the recovered contraband is below 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 only other case pending against the accused-applicant under the NDPS Act, 1985 pertains to the year 2020, the recovered contraband is below commercial quantity, the recovery was effected from co-



accused Ramgopal, who has already been enlarged on bail by Coordinate Bench of this Court, vide order dated 08.04.2022, the accused-applicant is behind the bars since 18.03.2026, the charge-sheet has already been filed and the trial is likely to take sufficiently long time to conclude, as also considering that the embargo of Section 37 of the NDPS Act, 1985 does not apply in the present case, this Court *prima facie* finds that the pendency of the above-mentioned criminal case cannot be a ground to deny the benefit of bail to the accused-applicant.

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; ***Rajesh Kumar Alias Raju Ram S/o Pancha Ram***, arrested in connection with F.I.R. No.57/2022 registered at Police Station Sanchore, District Jalore, 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