

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

S.B. Criminal Miscellaneous Bail Application No. 9139/2026

CNR: RJHC010630342026

URN: CRLMB / 19823U / 2026

Mukesh Kumar Acharya S/o Rameshwer Lal Acharya, Aged About
36 Years, R/o Village Bagaor, tehsil Mandal, district
Bhilwara, rajasthan (Lodged In District Jail, bhilwara)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s) : Mr. Bhagirath Ray Bishnoi

For Respondent(s) : Mr. Hathi Singh Jodha, PP

HON'BLE MR. JUSTICE SANDEEP SHAH

Order

14/07/2026

1. The applicant has filed the present bail application under Section 483 of BNSS being aggrieved against the order dated 22.06.2026 passed by the learned Special Judge, NDPS Cases (Additional Sessions Judge), Gangapur, District Bhilwara in Criminal Misc. Case No.126/2026, whereby the bail application filed by the accused-applicant under Section 483 of B.N.S.S. was rejected. The accused-applicant is behind the bars, pursuant to the F.I.R. No.20/2026 registered at Police Station Gangapur, District Bhilwara for the offence punishable under Sections 8/20 of NDPS Act.

2. Learned counsel for the applicant submits that the narcotic contraband recovered in the present case is below commercial quantity and that the applicant has no previous criminal

antecedents. Learned counsel further submits that the main accused namely Koshal Jeenagar, Lalit and Lokesh, from whose conscious possession 11.560 kilograms of *ganja* was recovered, have already been enlarged on bail by a co-ordinate Bench of this Court vide order dated 12.02.2026 passed in S.B. Criminal Miscellaneous Bail Application No. 1567/2026 (Koshal Jeenagar & Ors. v. State of Rajasthan). Learned counsel further submits that no recovery has been effected from the present applicant. Learned counsel contends that the applicant has been implicated in the present case solely on the ground that he is the registered owner of the vehicle which was being driven by the aforesaid co-accused at the relevant time. Learned counsel also submits that the applicant has remained behind bars and that the trial of the case is likely to take a considerable length of time. He, therefore, prays that the benefit of bail be granted to the accused-applicant.

3. Per contra, the learned Public Prosecutor opposes the bail application, however, he is not in a position to dispute the fact that the above-named co-accused, from whose conscious possession the recovery was effected, has already been enlarged on bail by co-ordinate Bench of this Court.

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

5. Having considered the arguments advanced by both sides and having regard to the facts and circumstances of the case, including the fact that the above-named co-accused, from whose conscious possession the recovery was effected, has already been enlarged on bail and further noticing that the narcotic contraband recovered in the present case is below commercial quantity, as

well as considering the fact that the applicant is behind the bars and that the trial is likely to take considerable time, this Court, without expressing any opinion on the merits of the case, is inclined to enlarge the applicant on bail.

6. Consequently, the bail application under Section 483 B.N.S.S. is **allowed**. It is ordered that the accused-applicant **Mukesh Kumar Acharya S/o Rameshwer Lal Acharya**, arrested in connection with F.I.R. No.20/2026 registered at Police Station Gangapur, District Bhilwara 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.

7. It is further, made clear that the 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