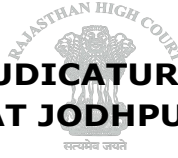




**HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR**



S.B. Criminal Miscellaneous Bail Application No. 9232/2026

CNR: RJHC010634422026

URN: CRLMB / 20080U / 2026

Bhavyu Alias Gulsher S/o Gulam Rasool Khan, Aged About 38 Years, Resident Of Kotdi, Police Station Kotdi, District Pratapgarh, Rajasthan. (Lodged In Dist. Jail Pratapgarh)

-----Petitioner

Versus

State Of Rajasthan, Through PP

-----Respondent

For Petitioner(s)	:	Mr. Pradhyumm Singh for Mr. Vijay Kumar Gaur
For Respondent(s)	:	Mr. Hathi Singh Jodha, 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 01.07.2026 passed by the learned Special Judge, (NDPS Cases), District Pratapgarh, in Criminal Misc. Bail Application No.286/2026, 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.41/2026 registered at Police Station Arnod, District Pratapgarh 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 Firoz



Khan, who has already been enlarged on bail by Coordinate Bench of this Court, vide order dated 02.04.2026 passed in S.B. Criminal Miscellaneous Bail Application No.2923/2026 (Firoz Khan v. State of Rajasthan). He submits that the accused-applicant has been implicated solely on the basis of the statement of co-accused Firoz Khan. He also submits that the recovered contraband is below commercial quantity, inasmuch as 27 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 not having any criminal antecedent of identical nature. He further submits that the accused-applicant is behind the bars since 19.06.2026, 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. However, he is not in a position to dispute the fact that the recovery was effected from co-accused Firoz Khan, who has already been enlarged on bail by Coordinate Bench of this Court, vide order dated 02.04.2026, nor does he dispute the fact 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 the recovered contraband is below commercial quantity, and the recovery was effected from co-accused Firoz Khan, who has



already been enlarged on bail by Coordinate Bench of this Court, vide order dated 02.04.2026, the accused-applicant is in judicial custody since 19.06.2026, the trial is likely to take sufficiently long time to conclude, and the accused-applicant is not having any criminal antecedent of identical nature, and considering that the embargo under Section 37 of the NDPS Act, 1985 does not apply in the present case, this Court *prima facie* finds it 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; ***Bhavyu Alias Gulsher S/o Gulam Rasool Khan***, arrested in connection with F.I.R. No.41/2026 registered at Police Station Arnod, District Pratapgarh, 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