

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 8891/2026
CNR: RJHC010637362026 | URN: CRLMB / 19306U / 2026

Suresh Kumar S/o Late Prabhuram, Aged About 31 Years, R/o
Ward No 15 Chakvijaysinghpura Police Station Kolayat Dist
Bikaner (Present Lodged In Bikaner Jail)

-----Petitioner

Versus

State Of Rajasthan, Through Public Prosecutor

-----Respondent

For Petitioner(s)	:	Mr. Ajay Kumar
For Respondent(s)	:	Mr. Surendra Bishnoi, PP

HON'BLE MR. JUSTICE SANDEEP SHAH

Order

24/07/2026

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 Court (NDPS Act Cases), Bikaner, in Criminal Misc. (Bail) Case No.45/2026, 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.86/2026 registered at Police Station Kolayat, District Bikaner, against him for offence punishable under Sections 8 & 15 of NDPS Act, 1985.
2. Learned counsel for the applicant submits that the recovered contraband from the applicant is below the threshold limit of commercial quantity, inasmuch as, 18.120 kilograms of poppy husk has been recovered from the applicant. He further submits that the applicant is not having any criminal antecedents of

identical nature. He further submits that the applicant is behind the bars since 27.06.2026 and the trial is likely to take a 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 recovered contraband is below the threshold limit of 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 applicant is not having any criminal antecedents of identical nature, the recovered contraband is below the threshold limit of commercial quantity, the applicant is behind the bars since 27.06.2026 and, the trial is likely to take a sufficiently long time to conclude, this Court *prima facie* finds it to be 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; ***Suresh Kumar S/o Late Prabhuram***, arrested in connection with F.I.R. No.86/2026 registered at Police Station Kolayat, District Bikaner, 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