



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

सत्यमेव जयते

(1) S.B. Criminal Miscellaneous Bail Application No. 9281/2026

CNR: RJHC010641172026

URN: CRLMB / 20185U / 2026

Mukesh Kumar S/o Bhanwarlal, Aged About 25 Years, R/o Village Jogalsar, P.s. Sandwa, District Churu, Raj. (Presently Lodged At Jail Ratangarh)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

Connected With

(2) S.B. Criminal Miscellaneous Bail Application No. 9291/2026

CNR: RJHC010632842026

URN: CRLMB / 20195U / 2026

Radhakishan Alias Hi Fi Devil S/o Bhanwar Lal, Aged About 26 Years, R/o Village Aanwaliyasar, Police Station Surpalia, District Nagaur, Rajasthan. (At Present Lodged At Sub Jail- Ratangarh, District Jail Churu)

-----Petitioner

Versus

State Of Rajasthan, Through Public Prosecutor

-----Respondent

For Petitioner(s)	:	Mr. Vikas Bijarnia Mr. Hinglaj Dan Charan
For Respondent(s)	:	Mr. H.S. Jodha, PP

HON'BLE MR. JUSTICE SANDEEP SHAH

Order

17/07/2026

1. The applicants have filed the present bail applications under Section 483 of BNSS being aggrieved against the order dated 01.07.2026 passed by the learned Special Judge, NDPS Cases,



Sujangarh, District Churu, in Bail Application Nos. 110/2026 and 109/2026 respectively, whereby the bail applications filed by the accused-applicants under Section 483 of B.N.S.S. were rejected. The accused-applicants are behind the bars, pursuant to the F.I.R. No.91/2026 registered at Police Station Sandwa, District Churu, for the offences punishable under Sections 8 & 22 of the NDPS Act, 1985.

2. Learned counsel for the applicants submit that the recovered contraband is below the threshold limit of commercial quantity, inasmuch as 2 grams of MDMA (Mephedrone) has been recovered, whereas the commercial quantity is 10 grams. Mr. Vikas Bijarnia, learned counsel submits that similarly situated co-accused, Mahendra Singh, who was also implicated with the aid of Section 29 of the NDPS Act, 1985, has already been enlarged on bail by Coordinate Bench of this Court vide order dated 03.07.2026 passed in S.B. Criminal Miscellaneous Bail Application No.8535/2026 (Mahendra Singh vs. State of Rajasthan). He further submits that the recovery has been effected from co-accused Radhakishan and not from the applicant.

3. Mr. Hinglaj Dan Charan, learned counsel submits that though the recovery has been shown to be made from applicant Radhakishan, the recovered contraband is below the commercial quantity and he has no criminal antecedents. Learned counsel for the applicants, therefore, implore this Court to allow the present bail applications.

4. *Per contra*, learned Public Prosecutor opposes the bail applications. However, he is not in a position to dispute the fact that the recovered contraband is much below the commercial



quantity and similarly situated co-accused has already been enlarged on bail.

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

6. 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 co-accused, Mahendra Singh, has already been enlarged on bail by Coordinate Bench of this Court, the applicants have no criminal antecedents, the recovered contraband is below the threshold limit of commercial quantity 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-applicants on bail.

7. Thus, without expressing any opinion on merits/demerits of the case, this Court is inclined to enlarge the accused-applicants on bail.

8. Consequently, the bail applications under Section 483 B.N.S.S. are **allowed**. It is ordered that the accused-applicants; **(1) Mukesh Kumar S/o Bhanwarlal & (2) Radhakishan Alias Hi Fi Devil S/o Bhanwar Lal** arrested in connection with F.I.R. No.91/2026 registered at Police Station Sandwa, District Churu, shall be released on bail, if not wanted in any other case, provided each of them furnishes a personal bond of Rs.50,000/- and two sureties of Rs.25,000/- each, to the satisfaction of learned Trial Court, for their 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 applications and the same shall not prejudice the trial of the case in any manner.

(SANDEEP SHAH),J