

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

S.B. Criminal Miscellaneous **2nd** Bail Application No. 12307/2025

Jatinder Singh @ Jitendra Singh S/o Sh. Swarn Singh, Aged
About 30 Years, R/o Jalluwal, Tehsil Baba Bakala, District
Amritsar.(Punjab) (At Present Lodged In Sub Jail Suratgarh)

-----Petitioner

Versus

State Of Rajasthan, Through PP

-----Respondent

For Petitioner(s)	:	Ms. Kirti Pareek. Mr. N.L. Joshi.
For Respondent(s)	:	Mr. Narendra Gehlot, PP.

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

25/03/2026

This second application for bail under Section 483 of BNSS (439 Cr.P.C.) has been filed by the petitioner who has been arrested in connection with F.I.R. No.400/2023 registered at Police Station Anupgarh, District Sri Ganganagar, for offences under Sections 8/21 IPC.

Learned counsel for the petitioner submitted that the co-accused persons namely Vickey (S.B. Cr. Misc. Bail Application No.14571/2025) and Sukhwinder Singh (S.B. Cr. Misc. Bail Application No.2121/2025) have already been enlarged on bail by a coordinate Bench of this Court vide order dated 05.03.2026. Learned counsel submitted that the case of the present petitioner is not distinguishable from that of the above named co-accused persons who have already been enlarged on bail.

Learned counsel submitted that the petitioner is in judicial custody and the trial of the case will take sufficiently long time, therefore, the benefit of bail may be granted to the accused-petitioner.

Per contra, learned Public Prosecutor has opposed the bail application. However, he was not in a position to refute the fact that the above named co-accused persons have already been enlarged on bail.

Heard learned counsel for the petitioner and learned Public Prosecutor. Perused the material available on record.

The order dated 05.03.2026 passed by coordinate Bench of this Court is reproduced herein below for ready reference:

"1. These instant bail applications have been filed under Section 483 BNSS on behalf of accused-petitioners. The petitioners have been arrested in connection with FIR No.400/2023 registered at Police Station Anupgarh, District Ganga Nagar for the offence(s) under Section 8/21 of NDPS Act.

2. Learned counsel for the accused-petitioners submits that the accused-petitioners have falsely been implicated in this case. He further submits that the recovery was made from an open field belonging to one Paal Singh and there is no evidence to the fact that the petitioners were involved in transporting the said vehicles, apart from the stay in a hotel. It is also contended that there is no substantive evidence with regard to the petitioners involvement in the alleged crime. It is also contended that the petitioners were apprehended in another case, wherein, recovery of contraband articles were effected from them and they have been enlarged on bail in the said case. The accused-petitioners in the present case were arrested after four months and are in custody since long and further trial of the case may take considerable time, therefore, the bail applications of the accused-petitioners may be allowed.

3. Learned Public Prosecutor has vehemently opposed the bail applications and contended that the commercial quantity of contraband article heroin was recovered from a field and the petitioners's presence along with the other co-accused was found in a hotel. It is also contended that the accused-petitioners were arrested in another case and in the investigation, it was revealed that the petitioners were involved in the case which was lodged against unknown persons,

therefore, considering the aforesaid facts, the bail applications of the accused-petitioners may be dismissed.

4. Heard and perused the material available on record.

5. Considering the arguments advanced by learned counsel for the petitioners and looking to the fact that the recovery was effected from an open field, without expressing anything on the merits of the case, I deem it just and proper to enlarge the accused-petitioners on bail.

6. Accordingly, the bail applications under Section 483 BNSS are allowed and it is ordered that the accused-petitioners namely: **1. Vicky S/o Rajendra Singh** and **2. Sukhwinder Singh S/o Mangal Singh**, in connection with FIR No.400/2023 registered at Police Station Anupgarh, District Ganga Nagar shall be enlarged on bail provided both of them furnish a personal bond in the sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the learned trial Judge for their appearance before the court concerned on all the dates of hearing and as and when called upon to do so. The learned trial Judge shall also verify the address and the contact details of the surety through concerned SHO before releasing the accused-petitioner on bail.

7. The accused-petitioners are also directed to mark their presence on 25th of every month till conclusion of trial before the concerned police station. The SHO of the concerned police station is directed to maintain a regular register marking the presence of the accused-petitioners and shall send the presence report of the accused-petitioners on the same day to the concerned Trial Court without any delay. In case of any breach to the aforementioned conditions, the learned Public Prosecutor shall be free to move the applications against the accused-petitioners for cancellation of the bail before the concerned Court.

8. The accused-petitioners are also directed to submit their present address along with the mobile number to the concerned SHO within a period of 7 days from his release and the concerned SHO shall verify the said address and the mobile number. In case if the petitioners changes their address or mobile number, they shall submit the same before the concerned SHO so also before the concerned learned Trial Court.

9. A copy of this order shall be sent to the concerned SHO for its strict compliance."

Having considered the rival submissions, facts and circumstances of the case particularly the fact that the above named co-accused persons have already been enlarged on bail,

without expressing any opinion on merits/demerits of the case, this Court is inclined to enlarge the petitioner on bail.

Consequently, the second bail application under Section 483 of BNSS (439 Cr.P.C.) is allowed. It is ordered that the accused-petitioner **Jatinder Singh @ Jitendra Singh S/o Sh. Swarn Singh** arrested in connection with F.I.R. No.400/2023 registered at Police Station Anupgarh, District Sri Ganganagar, 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.

It is however, made clear that findings recorded/observations made above are for limited purposes of adjudication of bail application. The trial court shall not get prejudiced by the same.

(KULDEEP MATHUR),J