

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

S.B. Criminal Miscellaneous **2nd** Bail Application No. 13137/2025

Akbar Khan S/o Ajmad Khan, Aged About 29 Years, Behind
Sukhwant Cinema Purani Abadi Sri Ganganagar Raj. (Presently
Lodged In Central Jail Sriganganagar)

-----Petitioner

Versus

State Of Rajasthan, Through PP.

-----Respondent

For Petitioner(s)	:	Ms. Tania Chugh on behalf of Mr. Himmat Jagga
For Respondent(s)	:	Mr. Narendra Gehlot, PP

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

25/02/2026

1. This second bail application under Section 483 BNSS (439 Cr.P.C.). has been filed by the petitioner who has been arrested in connection with F.I.R. No.187/2024 registered at Police Station Jawahar Nagar (Ganganagar), District Sriganganagar, for the offence under Section 8/22 of the NDPS Act.
2. Learned counsel for the petitioner submitted that the petitioner, who is aged about 29 years has falsely been implicated in the present case. Drawing attention of this Court towards the challan papers, learned counsel submitted that as per prosecution, psychotropic substance (Tramadol) weighing 267 gms. was recovered from the conscious possession of the present petitioner, which is marginally higher than the commercial quantity.
3. Lastly, learned counsel submitted that the petitioner is in judicial custody; no case of similar nature is pending against the

present petitioner; and the trial of the case will take sufficiently long time, therefore, the benefit of bail may be granted to the accused-petitioner.

4. *Per Contra*, learned Public Prosecutor has vehemently opposed the bail application and submitted that psychotropic substance (grater than commercial quantity) was recovered from the conscious possession of the present petitioner and therefore, looking to the seriousness of the allegation levelled against the present petitioner, he does not deserves to be enlarged on bail by this Court.

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

6. Having considered the rival submissions, facts and circumstances of the case, this Court prima facie finds that the psychotropic substance (marginally higher than the commercial quantity) was recovered from the conscious possession of the present petitioner; the petitioner is in judicial custody since 02.04.2024 and the trial is not likely to be concluded in near future. This Court also prima facie finds that no case of similar nature is pending against the present petitioner and the prosecution has not shown any apprehension of the petitioner involving himself in a case of similar nature or fleeing away from justice, in case he is enlarged on bail by this Court. Thus, without expressing any opinion on merits/demerits of the case, this Court is inclined to enlarge the petitioner on bail.

7. Consequently, the second bail application under Section 483 BNSS (439 Cr.P.C.). is allowed. It is ordered that the accused-petitioner **Akbar Khan S/o Ajmad Khan** arrested in connection

with F.I.R. No.187/2024 registered at Police Station Jawahar Nagar (Ganganagar), District Srigangangar, 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.

8. 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