

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

S.B. Criminal Miscellaneous **III** Bail Application No. 13715/2025

Dharmendra S/o Hiraram, Aged About 29 Years, Resident Of Bolo
Ki Dhani, Vinayakpura, Bhavad, Police Station Karwad, District
Jodhpur East (Presently Central Jail-Jodhpur)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s) : Mr. Budha Ram Bishnoi
Mr. Rajat Chhaparwal

For Respondent(s) : Mr. Narendra Gehlot, PP

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

25/02/2026

1. This third application for bail 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.38/2024, registered at Police Station Karwad, Jodhpur City East, for offences under Sections 8/20 of NDPS Act.
2. Heard learned counsel for the parties at Bar. Perused the material available on record.
3. Learned counsel for the petitioner submitted that the petitioner has been falsely implicated in the present case. Drawing attention of the Court towards the statements of Investigating Officer (PW.4) and Seizure Officer (PW.5) recorded before the competent criminal Court, learned counsel submitted that in the present case, contraband (*ganja*) weighing 200.170 kgs. was recovered from an open *bada* (cow shade). Learned counsel

submitted that there is nothing on record to establish that neither the recovered contraband (*ganja*) was concealed by the petitioner or the same was procured by him. He submitted that no documents to establish petitioner's ownership over the place of recovery i.e. *bada* (cow shade) were procured by the Investigating Officer.

4. Learned counsel submitted that the petitioner has been implicated in the present case solely on the basis of conjectures and surmises without there being any cogent evidence indicating his involvement in commission of the alleged crime.

5. Learned counsel submitted that the co-accused persons namely Sita Ram (S.B. Criminal Misc. Bail Application No.14153/2025) and Mehram @ Mahiram @ Mangla Ram (S.B. Criminal Misc. Bail Application No.7765/2025) have already been enlarged on bail by the co-ordinate Benches of this Court vide orders dated 11.02.2026 and 15.09.2025 respectively.

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

7. *Per contra*, learned Public Prosecutor has vehemently opposed the bail application and submitted that in the present case, a huge quantity of the contraband (*ganja*) has been recovered by the Investigating Agency. He also submitted that the recovered items from the place of recovery belong to the petitioner, therefore, looking to the seriousness of the allegations levelled against him, he does not deserve to be enlarged on bail.

8. Having considered the rival submissions, facts and circumstances of the case particularly keeping in view the fact that the co-accused persons namely Sita Ram and Mehram @ Mahiram @ Mangla Ram have already been enlarged on bail by the co-ordinate Benches of this Court, without expressing any opinion on merits/demerits of the case, this Court is inclined to enlarge the petitioner on bail.

9. Consequently, this third bail application under Section 483 BNSS (439 Cr.P.C.) is allowed. It is ordered that the accused-petitioner- **Dharmendra S/o Hiraram**, arrested in connection with F.I.R. No.38/2024, registered at Police Station Karwad, Jodhpur City East, 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.

10. 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