

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODH-
PUR**

S.B. Criminal Miscellaneous 2nd Bail Application No. 14092/2025

Hemaram S/o Shri Ramu Ram, Aged About 56 Years, Resident Of
Bharnango Ka Bas, Indawar, Tehsil Merta, District Nagaur. (At
Present Lodged In District Jail Churu)

-----Petitioner

Versus

State Of Rajasthan, Through PP

-----Respondent

For Petitioner(s)	:	Mr. Vishal Sharma
For Respondent(s)	:	Mr. Sameer Parekh, P.P.

HON'BLE MR. JUSTICE SANDEEP TANEJA
(Through VC)
Order

26/02/2026

1. The present second bail application has been filed by the accused-petitioner under Section 483 of BNSS, in connection with F.I.R. No.103/2025 registered at Police Station Bhaleri, District Churu for the offence(s) punishable under Section(s) 8/15, 18 and 29 of NDPS Act.
2. The first bail application was dismissed vide order dated 16.10.2025.
3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and has no nexus with the alleged offence. Learned counsel further submits that the alleged contraband i.e. poppy husk weighing 43 kgs and opium weighing 340 gms, which is of below commercial quantity, were recovered from the possession of co-accused Rajesh, who has already been enlarged on bail by the Co-ordinate Bench of this Court in S.B.

Criminal Miscellaneous Bail Application No. 10837/2025 dated 15.09.2025. Learned counsel also submits that when the first bail application was dismissed, investigation was pending and now, investigation has been completed and charge-sheet has been filed.

4. Learned counsel further submits that has eight criminal antecedents, out of which one relates to a similar offence and he has already been granted bail in that matter. He also submits that the petitioner is in custody since 08.09.2025 and conclusion of trial will take considerably long time, so no fruitful purpose would be served by keeping the petitioner into custody, and therefore prays to enlarge the petitioner on bail.

5. Learned Public Prosecutor opposes the submissions made by learned counsel for the petitioner hereinabove.

6. Taking into consideration the overall facts & circumstances of the case; the arguments advanced by learned counsel for the petitioner, the fact that co-accused has been enlarged on bail, charge-sheet has already been filed in the matter, the recovered contraband is of below commercial quantity and trial will take considerably long time in its conclusion, thus, without commenting anything upon the merits / demerits of the case, this Court deems it just and proper to enlarge the petitioner on bail.

7. Therefore, this second bail application under Section 483 BNSS is **allowed** and the accused-petitioner, namely **Hemaram S/o Shri Ramu Ram**, is ordered to be released on bail, provided he furnishes a personal bond in the sum of Rs.1,00,000/- with two sureties of Rs.50,000/- each to the satisfaction of the Trial Court, with the following conditions:-

- (i) The accused-petitioner shall not tamper with evidence or influence the witness in any manner.
- (ii) The accused-petitioner shall not indulge in any criminal activity and shall not repeat any criminal offence punishable under the Law.
- (iii) The accused-petitioner shall attend the hearing of the Trial Court on the date fixed by the Trial Court or as and when asked to appear before the Trial Court.
- (iv) In case of any violation of above conditions, the bail granted to the accused-petitioner shall be liable to be cancelled.

(SANDEEP TANEJA),J