

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

S.B. Criminal Miscellaneous **III** Bail Application No. 15156/2025
CNR: RJHC011133162025
URN: CRLMB / 31500U / 2025

Punaram S/o Arjunram, Aged About 40 Years, Resident Of
Moolrajnagar, Police Station Lohawat, District Jodhpur, Rajasthan
(Presently Lodged In Distt. Jail Suratgarh)

-----Petitioner

Versus

State Of Rajasthan, Pp

-----Respondent

For Petitioner(s)	:	Mr. Ashok Bishnoi
For Respondent(s)	:	Mr. Narendra Singh Chandawat, PP

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

13/07/2026

This third application for bail under Section 439 Cr.P.C. has been filed by the petitioner who has been arrested in connection with FIR No.678/2022 registered at Police Station Suratgarh, District Sri Ganganagar, for offence under Sections 8/15 & 25 of the NDPS Act; and Section 201 IPC.

Learned counsel submitted that as per the prosecution, during *nakabandi*, on 22.12.2022, during routine patrolling on NH-62 near Hanuman Temple, Suratgarh, a team of Police Station Suratgarh found an abandoned truck bearing Registration No. RJ-19-GB-5846 parked under suspicious circumstances. After failing to locate its driver or owner, the truck was taken to the police station in the presence of independent witnesses and searched. The search led to the recovery of 7 quintals 50 kilograms of

contraband (poppy husk/straw) concealed in 40 plastic bags (21 black and 19 white). The truck and contraband were seized, an FIR was registered, and during investigation the applicant was found *prima facie* involved. He was arrested on 03.04.2023 and remanded to judicial custody.

Learned counsel for the petitioner submitted that the petitioner has been falsely implicated in this case. Learned counsel submitted that the petitioner is in judicial custody since 03.04.2023. He further submitted that out of total 35 cited prosecution witnesses, only 4 prosecution witnesses have been examined before competent Criminal Court. He further submitted that the delay in trial is not at all attributable to the petitioner. He submitted that the petitioner is in judicial custody since last more than three years and three months and looking to the pace at which trial is being conducted against the present petitioner, the same is not likely to be concluded in near future.

In support of his contention, learned counsel for the petitioner placed reliance on the cases of ***Rabi Prakash Vs. State of Orisa (Leave to Appeal (Criminal) No.4169/2023*** and ***Mohd Muslim @ Hussain Vs. State (NCT of Delhi) in Special Leave Petition (Crl.) No(s).915 of 2023.***

On these grounds, he implored the Court to enlarge the petitioner on bail.

Per contra, learned Public Prosecutor has vehemently opposed the bail application and submitted that petitioner is facing trial for the offence under the NDPS Act and, therefore, the present bail application deserves to be rejected straightway. Learned Public Prosecutor, however, was not in position to refute

the fact that in last more than 3 years and 3 months, out of total 35 cited prosecution witnesses, only 4 witnesses have been examined till date.

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

Having considered the rival submissions, facts and circumstances of the case and considering the fact that the petitioner has suffered incarceration for more than 3 years and 3 months and out of total 35 cited prosecution witnesses, only 4 witnesses have been examined till date, without expressing any opinion on merits/demerits of the case, this Court is of the opinion that the bail application filed by the petitioner deserves to be accepted.

Accordingly, the third bail application under Section 439 Cr.P.C. is allowed and it is ordered that the accused-petitioner- **Punaram S/o Arjunram** shall be enlarged on bail in connection with FIR No.678/2022 registered at Police Station Suratgarh, District Sri Ganganagar, 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 learned trial Judge for his appearance before the court concerned on all the dates of hearing as and when called upon to do so.

In case, the petitioner remains absent on any date of hearing or makes an attempt to delay the trial by seeking unnecessary adjournments, it shall be taken as a misuse of concession of bail granted to him by this Court. The prosecution, in such a situation, shall be at liberty to move

an application seeking cancellation of bail granted to the petitioner today by this Court.

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