

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 1874/2026

Laxman Singh Alias Laccho S/o Balveer Singh, Aged About 30 Years, R/o Bhattapura, Police Station Mandrail, District Karauli (Rajasthan) (Accused Is Presently Confined In District Jail Karauli).

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Manoj KUMar Avasthi
For Respondent(s)	:	Mr. Vijay Kumar Yadav, PP

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

06/05/2026

1. The present bail application under Section 483 of BNSS is filed by the applicant-accused **Laxman Singh Alias Laccho S/o Balveer Singh** seeking bail in respect of a criminal case registered as FIR No. 86/2025 dated 11.07.2025 registered at P.S. Mandrail District - Karauli, for the offence under Section 8/21 of NDPS Act.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in the matter and the investigation against him is complete and he is no more required in investigation. He further submits that there are no chance of fleeing of applicant accused from the jurisdiction of this Hon'ble Court. He also submits that the applicant undertakes not to repeat offence and cooperate with trial, which will take time.

3. Learned counsel for the petitioner submits that petitioner has been charged for illegal possession of 71 bottles of drug known as Tossex New. He further submitted that in each of the bottles, the quantity of codeine phosphate is 240 mg. Thus, in 71 bottles, it is 17040 mg, which is quite less than 1 kg as prescribed commercial quantity. He further submitted that total recovered quantity of codeine in the instant case is 0.1704 kg and same is less than commercial quantity. He further submitted that statement of PW2 Ramchandra, search and seizure officer, was recorded by the Trial Court and cross-examination clearly indicated that entire process of search and seizure is carried out in violation of provisions of law.
4. Learned Public Prosecutor has vehemently opposed the bail application and submitted that the allegations are grave and serious in nature. He has also filed a report received from concerned Police Station.
5. Heard learned counsel for the petitioner-accused and learned Public Prosecutor. Perused the material placed on record by both the parties.
6. On 11.07.2025, SHO, Police Station Mandrail, on information that illegal drugs containing high concentration of narcotics were being transported, and after accompanying Drug Control Officer, intercepted a motorcycle and stopped two persons Vijay and Laxman Singh. The police has recovered 71 bottles of Tossex cough syrup. The codeine in one cough syrup was examined and it was 240 mg codeine phosphate and total codeine in 71 bottles was 17040 mg. After drawing

proceedings, FIR No. 86/2025 was registered at Police Station Mandrail under Section 8/21 of NDPS Act.

7. After filing of charge sheet, the charges were framed and statement of PW2 was recorded on 01.04.2026. The recovered quantity in the instant case is less than commercial quantity. In case of **Director of Revenue Intelligence vs. Rajkumar Arora and others, Criminal Appeal No. 1319/2013, judgment dated 17.04.2025**, it was held that the provisions of NDPS Act should not be read in exclusion of the Drugs and Cosmetics Act. In case of **Union of India vs. Sanjeev V. Deshpande, (2014) 13 SCC 1**, it was held that by virtue of Section 80 of NDPS Act, the provisions under the NDPS Act or the Rules are in addition to and not in derogation of the Drugs and Cosmetics Act and Rules made thereunder.
8. Three criminal cases were registered against Laxman Singh, but all relating to IPC. The recovered quantity from the petitioner is less than commercial quantity. Charge sheet has already been filed and till date two witnesses have been examined. This Court has taken note of statement of PW1 Durlabh Kumar Sharma, Drug Control Officer and PW2 Ramchandra, who was posted as SHO.
9. Upon hearing the arguments and perusing the record, we have found that the applicant-accused is no more required in the investigation and he is in custody for quite some time. The further proceedings will take its own time, therefore, looking to entirety of facts and circumstances of the case and without expressing any opinion on merits of the case,

the Court deems it appropriate to grant bail to the applicant-accused.

10. Thus, the instant bail application filed on behalf of applicant-accused **Laxman Singh Alias Laccho S/o Balveer Singh**, is hereby allowed and the applicant-accused is ordered to be released on bail upon furnishing a personal bond of ₹50,000/- with two sureties of like amount to the satisfaction of the Trial Court with the following conditions:-

- (i) The applicant-accused shall not tamper with evidence or influence the witness in any manner.
- (ii) The applicant-accused shall not indulge in any criminal activity and shall not repeat any criminal offence punishable under the Law.
- (iii) The applicant-accused 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 applicant-accused shall be liable to be canceled.

11. The Registry is directed to send a copy of this order to the Trial Court through E-mail.

(ASHOK KUMAR JAIN),J