

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous II Bail Application No. 4312/2025

Bhagirath Ram S/o Bagata Ram, Aged About 42 Years, R/o Khudala, Police Station Jhanwar, District Jodhpur (Raj.) (At Present Confined In Sub Jail, Beawar).

-----Petitioner

Versus

The State Of Rajasthan, Through PP

-----Respondent

For Petitioner(s)	:	Mr. Vishal Gurjar
For Respondent(s)	:	Mr. Manvendra Singh, PP

HON'BLE MR. JUSTICE PRAVEER BHATNAGAR
Order

09/04/2025

1. The instant second bail application has been filed under Section 483 BNSS on behalf of accused-petitioner. The petitioner has been arrested in connection with FIR No.422/2024 registered at Police Station Beawar Sadar, District Beawar for the offence(s) under Section 8/15 of NDPS Act.
2. Learned counsel for the accused-petitioner submits that the accused-petitioner has falsely been implicated in this case. He further submits that the recovery of contraband articles containing 46 Kg 400 grams of poppy straw were effected from the abandoned vehicle. The petitioner has been implicated solely on the basis of his ownership of the said vehicle in the alleged offence. The quantity of contraband articles recovered from the abandoned car is below commercial quantity. The accused-petitioner is in custody since long and trial of the case may take

considerable time, therefore, the second bail application may be allowed.

3. Learned Public Prosecutor vehemently opposes the bail application and contended that the petitioner was found to be involved in another similar nature of cases and charge-sheet against him was produced under Sections 8/25 and 8/15 of NDPS Act in the FIR registered at P.S. Choti Sadri District Pratapgarh, therefore, considering the conduct of the petitioner, the second bail application of the accused-petitioner may be dismissed.

4. Heard and perused the material available on record.

5. It is not desirable to express anything on the merits of the case. The quantity of contraband articles recovered from the abandoned vehicle is below commercial quantity. Though, the petitioner was found to be involved in a similar nature of case, however, looking to the fact that the petitioner has remained in custody since long and charge-sheet against the accused-petitioner has already been produced before the concerned Court and trial of the case may take considerable time, I deem it just and proper to enlarge the accused-petitioner on bail.

6. Accordingly, the second bail application under Section 483 BNSS is allowed and it is ordered that the accused-petitioner **Bhagirath Ram S/o Bagata Ram**, in connection with FIR No.422/2024 registered at Police Station Beawar Sadar, District Beawar, shall be enlarged on bail provided he furnishes a personal bond in the sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the learned trial Judge for his appearance before the court concerned on all the dates of hearing and as and when called upon to do so.

7. The accused is also directed to mark his presence on 25th of every month till conclusion of trial before the concerned police station. The SHO of the concerned police station shall send the presence report of the accused petitioner to the trial court every month. In case of any breach to the above condition, the learned Public Prosecutor shall be free to move the application against the petitioner for cancellation of the bail before the concerned Court.

(PRAVEER BHATNAGAR),J

Keshav/23