

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 4468/2025

Gajendra Singh S/o Dhanroop, Aged About 28 Years, R/o
Kachanariya Kalan, Police Station Harnavda Shahji, District
Baran (Rajasthan)
(At Present Confined In Central Jail Kota, District Kota).

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Nitin Kumar Sharma
For Respondent(s)	:	Mr. Amit Poonia, PP

HON'BLE MR. JUSTICE PRAVEER BHATNAGAR
Order

07/04/2025

The instant bail application has been filed under Section 483 BNSS on behalf of accused-petitioner. The petitioner has been arrested in connection with FIR No. 138/2024 registered at Police Station Devli Manjhi, District Kota Rural for the offence(s) under Sections 8/15 of NDPS Act.

Learned counsel for the petitioner submits that the accused-petitioner has falsely been implicated in this case solely on the basis of disclosure statement of other co-accused from whom possession the recovery of contraband articles containing commercial quantity of 84.96 KG of poppyhusk were effected. The disclosure statement of other co-accused are not admissible until there is some substantial evidence available on the record. Police has not collected any substantive evidence against the present accused-petitioner indicating his involvement in the alleged crime. The accused petitioner is in custody since 03.09.2024 and the trial

of the case will take considerable time. Therefore, the benefit of bail may be granted to the accused-petitioner.

Per contra, learned Public Prosecutor opposes the bail application and submitted the factual report. The same is taken on record.

Heard and perused the material available on the record.

The main allegation of transporting the contraband articles in a car swift dzire bearing registration No. RJ 40-CB-0979 are against Kamlesh and Mukesh. Co-accused Kamlesh and Mukesh in their disclosure statements disclosed the name of the present petitioner. Apart from the disclosure statement of co-accused there is no other evidence available on the record substantiating the fact that the present petitioner has supplied the said quantity of poopyhusk. The accused-petitioner is in custody since 03.09.2024 and charge-sheet has already been produced before the concerned trial court. Considering the above aspects and entire facts of the case, without further elaborating anything on the merits of the case, I deem it just and proper to enlarge the accused-petitioner on bail.

Accordingly, the bail application under Section 483 BNSS is allowed and it is ordered that the accused-petitioner Gajendra Singh S/o Dhanroop, in connection with FIR No. 138/2024 registered at Police Station Devli Manjhi, District Kota Rural 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 as and when called upon to do so.

(PRAVEER BHATNAGAR),J