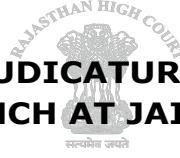




**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



S.B. Criminal Miscellaneous 2nd Bail Application No. 5196/2026

Himanshu Yaduvanshi S/o Omprakash, Aged About 36 Years, R/o Main Market Thanagaji, Police Station Thanagaji, District Alwar. (At Present Accused Petitioner Is Confined In District Jail Kotputli, District Kotputli-Behror).

-----Petitioner

Versus

State Of Rajasthan, Through Public Prosecutor

-----Respondent

For Petitioner(s)	:	Mr. Kailash Chand Katara, Adv.
For Respondent(s)	:	Ms. Arti Sharma, PP

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN
Order

04/05/2026

1. This second bail application has been filed under Section 483 of BNSS on behalf of the petitioner, who has been arrested in connection with FIR No.405/2025 registered at Police Station Pragpura, District Kotputli-Behror for the offences punishable under Sections 8/21 and 8/22 of NDPS Act. After completion of the investigation, police filed charge-sheet in this matter.
2. Learned counsel for the petitioner submits that first bail application filed on behalf of the petitioner was dismissed as withdrawn by this Court with liberty to renew the prayer for bail after submission of result of investigation. Now, charge-sheet has been filed during the course of trial thus, this second bail application has been preferred.
3. It is contended by learned counsel for the petitioner that the accused-petitioner has falsely been implicated in this case. He



submits that admittedly, no contraband has been recovered from the possession of the petitioner and he has been made accused solely on the basis of police interrogation of the co-accused. He further submits that similarly situated co-accused person namely, Dilip Kumar Verma has already been granted benefit of bail by a Co-ordinate Bench of this Court. He argues that trial of the case will take considerable time in its conclusion. He contends that the petitioner is in custody since 25.09.2025 and further custody of the petitioner would not serve any fruitful purpose.

4. Learned Public Prosecutor opposes the submissions made by the learned counsel for the petitioner and submits that the petitioner is a habitual offender, as six other cases have been registered against him, out of which, one is under the NDPS Act.

5. I have considered the contentions.

6. Having regard to the totality of the facts and circumstances of the case; considering the arguments advanced by learned counsel for the petitioner, especially the fact that no contraband has been recovered from the possession of the petitioner; similarly situated co-accused person namely, Dilip Kumar Verma has been granted benefit of bail by a Co-ordinate Bench of this Court; charge-sheet has been filed and trial will take time in its conclusion as well as looking to the period of custody, but without commenting anything on the merits/demerits of the case, I deem it proper to allow this second bail application.

7. This second bail application is accordingly allowed and it is directed that accused-petitioner- **Himanshu Yaduvanshi S/o Omprakash** shall be released on bail provided, he furnishes a



personal bond in the sum of Rs.1,00,000/- together with two sureties in the sum of Rs.50,000/- each to the satisfaction of the learned trial Court with the stipulation that he shall appear before that Court and any Court to which the matter is transferred, on all subsequent dates of hearing and as and when called upon to do so.

8. It is made clear that the accused-petitioner shall not involve in any other offence(s) during currency of the bail and he shall mark his presence in first week of every month in the concerned police station, till trial is concluded.

9. Concerned SHO shall record the presence of the petitioner in Roznamcha. In case the petitioner fails to mark his presence in the concerned police station, as directed above, the concerned SHO is directed to immediately report the matter to the concerned Court in this regard.

10. If any breach of these conditions is reported or come to the notice of the Court, the same shall alone be a reason for the trial Court to cancel the bail granted to him by this Court.

11. Office is directed to send a copy of this order to the concerned SHO for necessary compliance.

12. The observation made hereinabove is only for decision of the instant bail application and would not have any impact on the trial of the case in any manner.

(ANIL KUMAR UPMAN),J