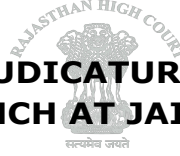




**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



S.B. Criminal Miscellaneous 2nd Bail Application No. 4844/2025

Olaye Friday Marvellous Son Of Olaye Emeka, Aged About 30 Years, R/o Azikiwe Road Aba Abia State Nigeriya And No.7 Jonson Steet Surulere Lagos Nigeriya Present Address Flat No A-80, First Floor Delhi Police Society Greater Noida, Up Student Of Noida International University, Plot No.1 Sector 17A, Yamuna Expressway Greater Noida Gautam Buddha Nagar, Uttar Pradesh Present. (At Present Confined In Central Jail, Jaipur).

-----Petitioner

Versus

The State Of Rajasthan, Through PP

-----Respondent

For Petitioner(s)	:	Mr. Shantnu Bansal
For Respondent(s)	:	Mr. Shri Ram Dhakad, PP

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

09/04/2025

1. The 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.29/2025 registered at Police Station Bajaj Nagar, District Jaipur City East for the offence punishable under Sections 8/21 of NDPS Act.
2. First bail application of the petitioner was dismissed as withdrawn vide order dated 10.02.2025 with liberty to renew the prayer of bail after submission of result of investigation. Now, charge-sheet has been filed in this matter for the offences punishable under Sections 8/21 & 8/22 of NDPS Act & Section 14A of the Foreigners Act. 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. Counsel submits that recovered contraband is less than commercial quantity. Petitioner is in custody since 17.01.2025. Charge-sheet has been filed and trial will take time in its conclusion. Further custody of the petitioner would not serve any fruitful purpose.

4. Learned Public Prosecutor opposes the submissions made by the counsel for the petitioner. He submits that one other case under the NDPS Act has been registered against him.

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, as also considering the fact that recovered contraband is less than commercial quantity; trial will take time in its conclusion as well as looking to the custody period, but without commenting anything on the merits/demerits of the case, I deem it proper to allow the second bail application.

7. This second bail application is accordingly allowed and it is directed that accused-petitioner **Olaye Friday Marvellous Son Of Olaye Emeka**, shall be released on bail provided he furnishes a personal bond in the sum of Rs.50,000/- (Rupees Fifty Thousand Only) together with two sureties in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) 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 is directed to maintain a register recording the attendance of the petitioner, as directed above. 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. 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