

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

S.B. Criminal Miscellaneous Bail Application No. 5138/2026

Mishrilal S/o Kishna, Aged About 41 Years, R/o Mohammedgarh,  
Police Station Borada, District Ajmer (Rajasthan) (Presently  
Confined At District Jail, Ajmer, Rajasthan).

-----Petitioner

Versus

State of Rajasthan, through PP

-----Respondent

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| For Petitioner(s) | : | Ms. Aditi Meena     |
| For Respondent(s) | : | Mr. S.R. Dhakad, PP |

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**HON'BLE MR. JUSTICE GANESH RAM MEENA**

**Order**

**22/04/2026**

1. This bail application has been filed by the accused petitioner u/S 483 BNSS in connection with FIR No. 199/2025 registered at Police Station Kekri Sadar, District Ajmer for offence u/S 8/15 of the NDPS Act.
2. Learned counsel for the accused petitioner submits that the accused petitioner has been falsely implicated in this case. She further submits that the accused petitioner has been arrayed as an accused merely on the basis of the statement of the co-accused Kalu from whose possession, the alleged contraband *doda post* weighing 485.77 kg. is said to have been recovered. She further submits that solely on the basis of the statement of the co-accused, one cannot be convicted. She further submits that the accused petitioner is in custody since 01.02.2026 and no other

criminal case of similar nature, has ever been registered against the petitioner.

3. Learned Public Prosecutor vehemently opposed the bail application and submits that the contraband which has been recovered is above the commercial quantity and therefore, the provisions of Section 37 of the NDPS Act are attracted and since the petitioner has not been able to show that he cannot be held guilty, the petitioner does not deserves to be released on bail.

3. Considered the submissions made by learned counsel for the accused petitioner as well as learned Public Prosecutor and also perused the case diary.

4. As per the facts on record, the police recovered the alleged contraband *doda post* weighing 485.77 kg. from the possession of the co-accused Kalu in a pickup. During the interrogation, the co-accused-Kalu is said to have stated that he has been handed over the alleged contraband by one Shantilal Bheel and is going to deliver this contraband to the present accused petitioner Mishrilal. After going through the case diary, the learned Public Prosecutor is also not in a position to show any kind of connectivity of the present accused petitioner with the co-accused Kalu or Shantilal Bheet. As per learned Public Prosecutor, there is nothing on record whether there was any kind of call conversation or money transaction by the present accused petitioner with the co-accused.

5. In view of the aforesaid facts, this Court is convinced as regards the requirement under Section 37 of the NDPS Act and prima-facie it can be said that the petitioner cannot be held guilty on the basis of the evidence collected so far.

6. Taking into consideration the overall facts and circumstances of the case and the discussion made above, this Court, without expressing any opinion on the merits and demerits of the case, deems just and proper to enlarge the accused-petitioner on bail.

7. Accordingly, this bail application is allowed and it is directed that accused-petitioner shall be released on bail provided that he furnishes a personal bond in the sum of Rs. 1,00,000/- (Rupees One Lac Only), together with two sureties in the sum of Rs.50,000/- (Rupees Fifty Thousand Only) to the satisfaction of the Trial Court with the stipulation that he shall appear before that Court or any Court to which the matter is transferred, on all subsequent dates of hearing and as and when called upon to do so.

8. In case the accused-petitioner is found to be involved in any other criminal case of similar nature in future, the prosecution may move application for cancellation of his bail.

**(GANESH RAM MEENA),J**