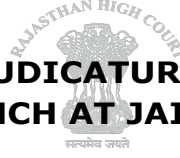




**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



S.B. Criminal Miscellaneous Bail Application No. 4142/2026

Kalluram S/o Maliram, Aged About 28 Years, R/o Jugalpura,
Police Station - Chandwaji, District - Jaipur Rural (Presently
Confined In Central Jaipur Jaipur)

-----Petitioner

Versus

The State of Rajasthan, through Public Prosecutor

-----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 5424/2026

Shyamlal S/o Sh. Harinarayan Nayak, Aged About 33 Years, R/o
Jugalpura, Police Station Chandwaji, District Jaipur (Rural) (At
Present Confined In Central Jail Jaipur)

-----Petitioner

Versus

State of Rajasthan, through PP

-----Respondent

For Petitioner(s)	:	Mr. Anish Bhadala in CRLMB No.4142/2026 Mr. Vikash Kumar Jakhar in CRLMB No.5424/2026
For Respondent(s)	:	Mr. Shree Ram Dhakad, Public Prosecutor

HON'BLE MR. JUSTICE GANESH RAM MEENA

Order

22/04/2026

1. These bail applications have been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 on behalf of accused-petitioners in connection with FIR No.26/2026 registered at Police Station Chandwaji, District Jaipur Rural for offence under Section 8/21 of the N.D.P.S. Act.



2. Learned counsels for the petitioners submit that total recovery of the alleged contraband from possession of the accused-petitioners and the co-accused is 68 gram *smack*, which is less than the commercial quantity. He further submits that the Police after completion of investigation has already submitted charge-sheet in the matter and the accused-petitioners are in custody since 22.01.2026.

3. Learned counsels further submit that the co-accused, namely, Balbir has already been enlarged on bail by the Co-ordinate Bench of this Court in S.B. Criminal Misc. Bail Application No.2345/2026 vide order dated 06.03.2026.

4. Learned Public Prosecutor vehemently opposed the bail application.

5. Considered the submissions made by learned counsels for the petitioners as well as learned Public Prosecutor and also perused the material available on record.

6. The recovery of the alleged contraband from possession of the accused-petitioners and the co-accused is less than stipulated commercial quantity and the accused-petitioner is in custody since 22.01.2026.

7. The Hon'ble Apex Court in the case of ***Puranmal Jat Vs. State of Rajasthan*** in ***Criminal Appeal No.3394/2023 arising out of SLP (Crl.) No.10670/2023*** decided on ***02.11.2023*** has enlarged the accused therein on bail and observed as under:-



"The allegations against the appellant relate to commission of offence under the provisions of Sections 8 and 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter called "the Act"). Alleged recovery from him is about 35 kgs. and 150 grams *Doda Posh* (Poppy straw). The commercial quantity for poppy straw is 50 kgs. The appellant is in custody for over seven months. Charge-sheet has been submitted in the case. The recovered contraband item having weight less than the stipulated commercial quantity, the restriction on grant of bail under Section 37 of the Act does not apply in his case. We do not think his continued detention pending trial is necessary in the given circumstances."

8. Having regard to the discussions made above, this Court without expressing any opinion on the merits or demerits of the case, deems just and proper to enlarge the accused-petitioners on bail.

9. Accordingly, these bail applications under Section 483 B.N.S.S. are allowed and it is ordered that the accused-petitioners named above shall be enlarged on bail provided each of them furnish a personal bond in the sum of Rs.1,00,000/- together with two sureties of Rs.50,000/- each to the satisfaction of the learned trial Judge for their appearance before the Court concerned on all the dates of hearing and as and when called upon to do so.

9. In case the accused-petitioners are found to be involved in any other criminal case of similar nature in future, the prosecution may move application for cancellation of their bail.

(GANESH RAM MEENA),J