

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

S.B. Criminal Miscellaneous Bail Application No. 5599/2026

Malkhan S/o Ramkaran, Aged About 40 Years, R/o Village Mathni, Presently R/o Riddhi Siddhi Colony Baran, Police Station Kotwali Baran, District Baran, Raj. (At Present Confined In District Jail Baran).

-----Petitioner

Versus

State Of Rajasthan, Through PP

-----Respondent

---

|                   |   |                           |
|-------------------|---|---------------------------|
| For Petitioner(s) | : | Mr. Jagdish Nagar         |
| For Respondent(s) | : | Mr. Vijay Singh Yadav, PP |

---

**HON'BLE MR. JUSTICE ASHOK KUMAR JAIN**

**Order**

**01/05/2026**

1. The present bail application under Section 483 of BNSS is filed by the applicant-accused **Malkhan S/o Ramkaran**, seeking bail in respect of a criminal case registered as FIR No.174/2026 dated 25.03.2026 registered at P.S. Kotwali Baran, District Baran, for the offence under Sections 8/20 and 8/29 of NDPS Act.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in the matter and the investigation against him is complete and he is no more required in investigation. He further submits that there are no chance of fleeing of applicant accused from the jurisdiction of this Hon'ble Court. He also submits that the applicant undertakes not to repeat offence and cooperate with investigation/trial, which will take time.

3. Learned counsel for the petitioner submitted that from a trolley bag, police has recovered 15.282 kilogram of ganja and named the present petitioner as the suspect. He also submits that there is no criminal antecedent against the petitioner and the recovered quantity is less than commercial. He further submits that the place of recovery is an open/public place.
4. Learned Public Prosecutor has vehemently opposed the bail application and submitted that the allegations are grave and serious in nature. He has also filed a report received from Police Station Sadar Baran, District Baran.
5. Heard learned counsel for the petitioner-accused and learned Public Prosecutor. Perused the material placed on record by both the parties. Also perused the report received from PS Sadar Baran, District Baran.
6. On basis of interception, a trolley bag was searched by police, then 15.282 kg of ganja was recovered. The police has registered FIR No. 174/2026 under section 8/20, 8/29 of NDPS Act and arrested the present petitioner. One criminal case was registered against the petitioner wherein he was acquitted on 7th September 2000. The recovered quantity is less than commercial.
7. Upon hearing the arguments and perusing the record, we have found that the applicant-accused is no more required in the investigation and he is in custody for quite some time. The further proceedings will take its own time, therefore, looking to entirety of facts and circumstances of the case and without expressing any opinion on merits of the case,

the Court deems it appropriate to grant bail to the applicant-accused.

8. Thus, the instant bail application filed on behalf of applicant-accused **Malkhan S/o Ramkaran**, is hereby allowed and the applicant-accused is ordered to be released on bail upon furnishing a personal bond of ₹50,000/- with two sureties of like amount to the satisfaction of the Trial Court with the following conditions:-

- (i) The applicant-accused shall not tamper with evidence or influence the witness in any manner.
- (ii) The applicant-accused shall not indulge in any criminal activity and shall not repeat any criminal offence punishable under the Law.
- (iii) The applicant-accused shall attend the hearing of the Trial Court on the date fixed by the Trial court or as and when asked to appear before the Trial Court.
- (iv) In case of any violation of above conditions, the bail granted to the applicant-accused shall be liable to be canceled.

9. The Registry is directed to send a copy of this order to the Trial Court through E-mail.

(ASHOK KUMAR JAIN),J