

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 5710/2026

Zakir Ali S/o Siddik Ali, Aged About 30 Years, R/o Gurjar Mohalla, Khanpur, Police Station Khanpur, District Jhalawar (Raj.)
(At Present Accused Petitioner Is Confined In District Jail Jhalawar).

----Petitioner

Versus

State Of Rajasthan, Through PP

----Respondent

For Petitioner(s)	:	Mr. Ajay Singh Yadhuvanshi
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 **Zakir Ali S/o Siddik Ali**, seeking bail in respect of a criminal case registered as FIR No.73/2026 dated 23.03.2026 registered at P.S. Khanpur, District - Jhalawar, for the offence under Sections 8, 20, 29 and 30 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 submits that as per report, recovery was effected from Om Prakash and not from the present petitioner. He also submits that the total recovery is 1.355 kg of ganja and same is little more than of small quantity but quite less than commercial quantity. He further submits that four other criminal cases were registered against the petitioner but three of them are under IPC and one of them is of RPGO. He also submits that there is no evidence against the petitioner for regularly indulging in sale and purchase of narcotics and invocation of Section 30 of NDPS Act is not attracted in the instant case.
4. Learned Public Prosecutor has vehemently opposed the bail application and submitted that the allegations are grave and serious in nature.
5. Heard learned counsel for the petitioner-accused and learned Public Prosecutor. Perused the material placed on record by both the parties.
6. On 23.03.2026, Police has intercepted Om Prakash and Zakir Ali, while they were travelling on motorcycle and recovered 1.355 kg of ganja, along with cash cash. An FIR No.73/2026 was registered at PS Khanpur, District Jhalawar under Sections, 8/20, 29, 30 of NDPS Act.
7. Four criminal cases were registered against the petitioner and out of which one was disposed whereas three relating to IPC are pending before the Courts. The recovered quantity is less than commercial.
8. 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.

9. Thus, the instant bail application filed on behalf of applicant-accused **Zakir Ali S/o Siddik Ali**, 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.

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

(ASHOK KUMAR JAIN),J