

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 5816/2026

- 1. Bhagwan Singh S/o Shri Moolchand, Aged About 21 Years, R/o Village Khadiya, P.s. Harnavdashaji, District Baran (Raj.) (At Present In District Baran, Chhabra Jail).
- 2. Rakesh Meena S/o Shri Moolchand, Aged About 26 Years, R/o Ward No. 02, Chhipabarod, P.s Chhipabarod, District Baran (Raj.) (At Present In District Baran, Chhabra Jail)

-----Petitioners

Versus

State Of Rajasthan, Through Pp

-----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 5815/2026

Ramcharan S/o Laxmichand, R/o Khopar, Police Station Chhabra, District Baran, Rajasthan. (Presently Confined In District Sub Jail At Chhabra).

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Ms. Megha Sharma Mr. Udit Kumar Ladwal for Mr. K.N. Sharma
For Respondent(s)	:	Mr. Vijay Singh Yadav, PP

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

06/05/2026

- 1. These bail applications under Section 483 of BNSS are filed by the applicants-accused **Bhagwan Singh S/o Shri Moolchand, Rakesh Meena S/o Shri Moolchand and Ramcharan S/o Laxmichand**, seeking bail in respect of a criminal case registered as FIR No.162/2026 dated 31.03.2026 registered at P.S. Chhabra District - Baran , for the offence under Sections 8/21, 25 and 29 of NDPS Act.

2. Learned counsel for the applicants submits that the applicants have been falsely implicated in the matter and the investigation against them is complete and they are no more required in investigation. They further submits that there are no chance of fleeing of applicant accused from the jurisdiction of this Hon'ble Court, and the applicants do not have any criminal antecedents. They also submits that the applicants undertakes not to repeat offence and cooperate with investigation/trial, which will take time.
3. Learned counsel for petitioners Bhagwan Singh and Rakesh submits that at the time of detention, police has not complied mandatory provisions under the NDPS Act before effecting search and seizure. She further submits that police has allegedly recovered 21.55gm of smack from possession of Bhagwan Singh but no recovery was effected from Rakesh. She also submitted that recovered quantity is less than commercial and there is no evidence of involvement of petitioners in commercial dealing. She also submits that both the petitioners are youths and entire family responsibility is upon them.
4. Learned counsel for petitioner Ram Charan submits that no recovery is effected from the petitioner as he has been arrayed as an accused only on statement of co-accused. He further submits that one case under NDPS Act was registered against the petitioner but same has already been disposed of.
5. Learned Public Prosecutor has vehemently opposed the bail applications and submitted that the allegations are grave

and serious in nature. He has also filed a report received from concerned Police Station.

6. Heard learned counsel for the parties and learned Public Prosecutor. Perused the material placed on record by both the parties.
7. on 31.03.2026, Sampat Raj, SI P.S. Chhabra has intercepted a motorcycle bearing No. RJ28GS2301 which was driven by Rakesh Meena and Bhagwan Singh was pillion rider. Due to their suspicious behaviour, police has served a notice under Section 50 of NDPS Act and effected search of their persona. The police has seized 21.55gm of smack (heroin) from possession of Bhagwan Singh but no recovery was effected from Rakesh. After proceedings, FIR No.162/2026 dated 31.03.2026 under Section 8/21, 25 and 29 of NDPS Act was registered at P.S. Chhabra, Dist. Baran. During interrogation/investigation they have revealed that the smack has been purchased from Surendra and it was supposed to be delivered to Ramcharan Prajapati. The police has as detained Ramcharan Prajapati and currently he is facing charge under Section 29 of NDPS Act. The alleged recovered quantity from Bhagwan Singh is less than commercial.
8. Upon hearing the arguments and perusing the record, we have found that the applicants-accused are no more required in the investigation and they are 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 applicants-accused.

9. Thus, the instant bail applications filed on behalf of applicants-accused **Bhagwan Singh S/o Shri Moolchand, Rakesh Meena S/o Shri Moolchand and Ramcharan S/o Laxmichand**, are hereby allowed and the applicants-accused are ordered to be released on bail with condition that each of the petitioner would furnish 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 applicants-accused shall not tamper with evidence or influence the witness in any manner.
 - (ii) The applicants-accused shall not indulge in any criminal activity and shall not repeat any criminal offence punishable under the Law.
 - (iii) The applicants-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 applicants-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