

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 6118/2026

Dinesh S/o Bhanwarlal, Aged About 32 Years, R/o Chandipur
Police Station Jawar District Jhalawar (Raj) (At Present Confined
In Sub District Jail, Aklera District Jhalawar (Raj)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Rohit Khandelwal
For Respondent(s)	:	Mr. Vijay Singh Yadav, PP

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

06/05/2026

1. The present bail application under Section 483 of BNSS is filed by the applicant-accused **Dinesh S/o Bhanwarlal**, seeking bail in respect of a criminal case registered as FIR No.32/2026 dated 01.03.2026 registered at P.S. Jawar District - Jhalawar, for the offence under Sections 8, 18(c), 19 and 26 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 trial, which will take time.

3. Learned counsel for petitioner submits that license for cultivation of poppy was issued in the name of Bhuribai and when ANTF Outpost Incharge has informed police about illegal extraction of milky latex from poppy fruit the petitioner was detained for illegal cutting the fruit and possessing 68gm of milky latex. He further submitted that the wife of petitioner Krishnabai was arrested on same charge and a Co-ordinate Bench of this Hon'ble Court has allowed bail on 08.04.2026. He also submitted that there is no difference between the charge upon Krishnabai and present petitioner. He also submitted that the matter squarely falls under Section 18(c) of NDPS Act whereas recovered latex is not a commercial quantity.
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 concerned Police Station.
5. Heard learned counsel for the petitioner-accused and learned Public Prosecutor. Perused the material placed on record by both the parties.
6. On 01.03.2026, SHO P.S. Jawar, Dist. Jhalawar has acted on report of Incharge of Outpost ANTF and found that present petitioner and Krishnabai are involved in illegal cultivation and extraction of milky latex from poppy plant and total 1507 plants and 132gm of latex were recovered. The petitioner was arrested by police. A Co-ordinate Bench of this Court has allowed bail of Krishnabai, who is wife of present petitioner. The issue relating to illegal cultivation

squarely falls within Section 18(c) of NDPS Act whereas recovered latex quantity is below 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 **Dinesh S/o Bhanwarlal**, 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

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