

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 6163/2026

Khusiram Alias Khushi S/o Shri Ramkishan, Aged About 40 Years, R/o Kharoti Ki Dhani, Tan Madhogarh, Police Station Akbarpur, District Alwar (Raj.) (At Present Petitioner Confined In Central Jail Alwar).

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Swapnil Singh Patel
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 **Khusiram @ Khushi S/o Shri Ramkishan**, seeking bail in respect of a criminal case registered as FIR No.60/2026 dated 23.03.2026 registered at P.S. Akbarpur, District -Alwar, for the offence under Sections 8/15 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 petitioner submits that the police has recovered 9 kg 3 gram of poppy straw from an unattended vehicle allegedly owned by the petitioner. He further submitted that the admitted facts clearly indicate that at the time of proceedings, the vehicle was not locked and the police opened the vehicle without the help of any key. He further submitted that the petitioner was neither present with the vehicle nor the vehicle was in exclusive possession of the petitioner. He further submitted that three cases were allegedly registered against the petitioner, out of which one case relating to the Excise Act was already withdrawn, whereas in another case arising out of FIR No. 52/2020, Police Station Sikandra, District Dausa, the petitioner has been acquitted. He has placed on record a copy of judgment dated 07.03.2026. He further submitted that the recovered quantity is far less than the commercial quantity.
4. Learned Public Prosecutor has vehemently opposed the bail application and submitted that the allegations are grave and serious in nature. He further submitted that the bail application of present petitioner was rightly dismissed.
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, SHO Police Station Akbarpur, District Alwar checked and searched a Swift car which was found in an unlocked condition. On search, 9 kg 3 gram opium poppy straw (crushed capsules of opium residue) were recovered in two different packets. After recovery proceedings, FIR No.

60/2026 was registered at Police Station Akbarpur, District Alwar. The petitioner-accused was arrested on 10.04.2026 and is currently in custody.

7. Total three criminal cases were registered against the petitioner, out of which the petitioner was acquitted in Sessions Case No. 33/2022 arising out of FIR No. 52/2020, Police Station Sikandra, District Dausa under Section 8/15 of the NDPS Act and Section 3/25 of the Arms Act. Learned counsel for petitioner has made a statement that the case relating to FIR No. 426/2015, Police Station Mala Khera, District Alwar has already been withdrawn.
8. In the present case, no recovery has been effected in the presence of the petitioner, though the recovery was effected from a vehicle lying unattended and in an unlocked condition which allegedly belonged to the present petitioner.
9. 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.
10. Thus, the instant bail application filed on behalf of applicant-accused **Khusiram @ Khushi S/o Shri Ramkishan**, 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.

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

(ASHOK KUMAR JAIN),J