

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 6306/2026

Bapulal S/o Kachrulal, Aged About 50 Years, R/o Ganeshpura,
Police Station Dug, District Jhalawar (Raj.) (Petitioner Is In Sub
Jail Bhawanimandi)

-----Petitioner

Versus

The State Of Rajasthan, Through P.p.

-----Respondent

For Petitioner(s)	:	Mr. Lakshaya Kumar Sharma for Mr. Ali Mohammed Khan
For Respondent(s)	:	Mr. Vijay Singh Yadav, PP

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

08/05/2026

1. The present bail application under Section 483 of BNSS is filed by the applicant-accused **Bapulal S/o Kachrulal**, seeking bail in respect of a criminal case registered as FIR No.40/2026 dated 08.02.2026 registered at P.S. Dug, District - Jhalawar, for the offence under Sections 8/22, 8/29 and 8/30 of NDPS Act and Section 3/25 of Arms 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 the petitioner submits that the police has not complied mandatory provisions under the NDPS Act before effecting search and seizure. He also submits that even a notice under Section 50 of NDPS Act was not served to the petitioner. He also submits that the police has searched Dashrathlal and the present petitioner when they were allegedly together but has found nothing from possession of the present petitioner. He submits that ₹600/-, which was in the pocket of the present petitioner, was seized only on the ground that this money was supposed to be used to purchase MD from Dashrathlal. He submits that neither was there recovery nor was any evidence about involvement but still the petitioner is forwarded under Sections 8/29 and 30 of NDPS Act to face the trial.
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 08.02.2026, SHO PS Dug, District Jhalawar on basis of an information, has searched house of Dashrathlal. At the time of search, Dashrathlal and Bapulal was found in house of Dashrathlal. After search, the police has recovered ₹600/- from pocket of the present petitioner Bapulal but has recovered contraband from possession of Dashrathlal. Admittedly, no contraband has been recovered from

possession of the present petitioner. There is no criminal case against the present petitioner.

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 **Bapulal S/o Kachrulal**, 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

MR/57