

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 6446/2026

Saddam S/o Mazid, Aged About 30 Years, R/o Village Bawla Police Station Tavdu, District Nuh Mewat (Haryana) (At Present Confined In Sub Jail Kishangarh Bas).

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Sanjay 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 **Saddam S/o Mazid**, seeking bail in respect of a criminal case registered as FIR No.91/2026 dated 19.03.2026 registered at P.S. Kotkasim, District - Khairthal-Tijara, for the offence under Sections 8/21 and 8/30 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 trial, which will take time.

3. Learned counsel for the petitioner submits that the police has not complied with the mandatory provision under the NDPS Act before effecting search and seizure. He also submits that no opportunity to be searched in presence of a Magistrate was given to the petitioner. He further submits that the recovered quantity of 12 grams of smack (heroin) is less than commercial and there is no evidence to show that the petitioner was indulged in narcotics trade.
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 19.03.2026, SHO PS Kotkasim, District Khairthal-Tijara has intercepted a motorcycle and found the present petitioner in suspicious condition. After serving him a notice under section 50 of NDPS Act, when he searched, he found 12 grams of heroin (smack) in a plastic pouch in possession of the present petitioner, which was kept for sale. An FIR No. 91/2026 dated 19.03.2026 under Sections 8/21 & 30 of NDPS Act was registered at police station Kotkasim, District Khairthal-Tijara. The recovered quantity is less than commercial quantity. There is one criminal case relating to IPC against the petitioner accused.
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 **Saddam S/o Mazid**, 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