

  
**HIGH COURT OF JUDICATURE FOR RAJASTHAN**  
**BENCH AT JAIPUR**

S.B. Criminal Miscellaneous Bail Application No. 6535/2026

Bacchusingh S/o Sh. Laxman Singh, Aged About 60 Years, R/o Manika Ka Pura, Police Station Mania, District Dholpur (Raj.). (At Present Confined In District Jail Dholpur).

-----Petitioner

Versus

The State Of Rajasthan, Through Pp

-----Respondent

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| For Petitioner(s) | : | Mr. Madho Swami for<br>Mr. Arpit Srivastava |
| For Respondent(s) | : | Mr. Vijay SIngh Yadav, PP                   |

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**HON'BLE MR. JUSTICE ASHOK KUMAR JAIN**

**Order**

**07/05/2026**

1. The present bail application under Section 483 of BNSS is filed by the applicant-accused **Bacchusingh S/o Sh. Laxman Singh** seeking bail in respect of a criminal case registered as FIR No.125/2026 dated 01.04.2026 registered at P.S. Mania District - Dholpur, for the offence under Sections 8, 15 and 18 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 before effecting search and seizure, police has not complied mandatory provisions under the NDPS Act. He further submits that the recovered quantity of poppy straw and live poppy plants are less than commercial. He further submits that there is no criminal antecedent against the petitioner.
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 the basis of proceeding in the night of 31.03.2026 and 01.04.2026, SHO P.S. Mania, Dholpur has recovered 12.155Kg of poppy straw and 2.824Kg of poppy plants, FIR No.125/2026 under Section 8/15 and 18 of NDPS Act was registered.
7. The green poppy plants cannot be classified as small, intermediate or commercial as illegal cultivation is an offence under Section 18(c) of NDPS Act and attracts maximum punishment up to 10 years. The recovered quantity of poppy straw is 12.155Kg, which is not a commercial quantity. The petitioner is shown as 60 years and there is no criminal antecedent against the petitioner.
8. 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.

9. Thus, the instant bail application filed on behalf of applicant-accused **Bacchusingh S/o Sh. Laxman Singh**, 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.

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

(ASHOK KUMAR JAIN),J