

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 6668/2026

Deepak S/o Shri Pappuram, Aged About 27 Years, R/o Rampur,
Police Station Bansur, District Kotputli-Behror (Raj.) (At Present
Confined In District Jail Kotputli)

-----Petitioner

Versus

State Of Rajasthan, Through P.p.

-----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 7047/2026

Ghanshyam Saini S/o Shri Ratanlal Saini, Aged About 24 Years,
R/o Behind Shyam Mandir, Ward No. 5, Kotputali, District
Kotputali-Behror Rajasthan. (Accused Petitioner Is In Judicial
Custody In Sub Jail Kotputali).

-----Petitioner

Versus

The State Of Rajasthan, Through Pp

-----Respondent

S.B. Criminal Miscellaneous Bail Application No. 7147/2026

Rajpal S/o Shri Lalaram, Aged About 25 Years, R/o Rampur,
Police Station Bansoor, District Kotputli-Behror (Rajasthan) (At
Present Confined In District Jail Kotputli, District Kotputli-
Behror).

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Bharat Yadav Mr. Manish Gupta Mr. Vikas Meena, Mr. Priyank Sanwariya, Mr. Prateek Sanwariya & Mr. Devang Jharol
For Respondent(s)	:	Mr. Vijay Singh Yadav, PP

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN**Order****08/05/2026**

1. These bail applications under Section 483 of BNSS are filed by the applicants-accused **Deepak S/o Shri Pappuram, Ghanshyam Saini S/o Shri Ratanlal Saini, & Rajpal S/o Shri Lalaram** seeking bail in respect of a criminal case registered as FIR No.211/2026 dated 17.04.2026 registered at P.S. Kotputli, District -Behror , for the offence under Sections 8/21 of NDPS Act. .
2. Learned counsel for the applicants submits that the applicants have been falsely implicated in the matter and the investigation against them is complete and they are no more required in investigation. They further submit that there are no chance of fleeing of applicant accused from the jurisdiction of this Hon'ble Court. They also submits that the applicants undertakes not to repeat offence and cooperate with investigation/trial, which will take time.
3. Learned Counsel for Petitioner Deepak submitted that 16 capsules of Proxico Spas were recovered from present petitioner and the weight of capsule was 9.92 gram. Learned counsel appearing on behalf of Rajpal submitted that as per police report, 284 capsules were recovered and the weight of the capsule is 172.53 gram. Both of them have submitted that police has not complied the mandatory provision of law at the time of search and seizure. They also submitted that the recovered quantity is less than commercial and till date FSL report has not been received. They also submitted that

it has not been established so far that recovered capsule contained Tramadol salt and up to what extent.

4. Learned counsel appearing on behalf of Ghanshyam Saini submitted that no recovery has been made from the petitioner and petitioner was arrested as an accused only on the ground that he allegedly supplied these capsules to accused Deepak and Rajpal. He also submitted that the petitioner is not a drug dealer and he is not involved in trading of contraband articles.
5. Learned Counsel appearing on behalf of Ghanshyam Saini has further referred copy of FIR no. 23/2025 registered at PS Kotputli and submitted that for alleged recovery of 13.75 gram of smack (heroin), a case was registered under section 8/21 wherein a coordinate bench has granted bail on 23.01.2025 to the petitioner.
6. Learned Public Prosecutor has vehemently opposed the bail applications and submitted that the allegations are grave and serious in nature. He submitted report received from concerned police station.
7. Heard learned counsel for the parties and learned Public Prosecutor. Perused the material placed on record by both the parties.
8. On 17.4.2026, SHO PS Kotputli has inquired from two persons sitting outside a closed shop and on the basis of inquiry and search, recovered 16 capsules of Proxico Spas from Deepak and 284 capsules of Sampfx from Rajpal. Considering these capsules as capsules of contraband articles containing Tramadol, a proceeding was initiated and

these capsules were seized. The total recovered quantity from Deepak is 9.92 gram and from Rajpal was 172.53 gram. The recovered quantity is less than commercial and there is no criminal antecedent against Deepak and Rajpal. The accused Ghanshyam Saini was arrested as an accused on the basis of interrogation of Deepak and Rajpal and there is no recovery from Ghanshyam Saini

9. Upon hearing the arguments and perusing the record, we have found that the applicants-accused are no more required in the investigation and they are 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 applicants-accused.
10. Thus, the instant bail applications filed on behalf of applicants-accused **Deepak S/o Shri Pappuram, Ghanshyam Saini S/o Shri Ratanlal Saini, & Rajpal S/o Shri Lalaram**, are hereby allowed and the applicants-accused are ordered to be released on bail with condition that each of the petitioner would furnish 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 applicants-accused shall not tamper with evidence or influence the witness in any manner.
 - (ii) The applicants-accused shall not indulge in any criminal activity and shall not repeat any criminal offence punishable under the Law.

(iii) The applicants-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 applicants-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