

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

S.B. Criminal Miscellaneous Bail Application No. 6728/2026

- 1      Shahrukh S/o Mukhtyar, Aged About 25 Years, R/o Kangeshwar Colony, Kashganj Bus Stand Ke Piche, P.s. Kashganj (Uttar Pradesh), Second Address- Shiv Mandir Ke Pass, Ganda Nala Nawalti Road, Ram Babu Ki Gali, P.s. Kashganj (Uttar Pradesh). (Accused At Present Confined In Central Jail Kota)
- 2      Suraj S/o Kalicharan, Aged About 20 Years, R/o Village Johri, P.s. Sawar, District Kashganj (Uttar Pradesh) (Accused At Present Confined In Central Jail Kota)

----Petitioners

Versus

State Of Rajasthan, Through Public Prosecutor.

----Respondent

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|-------------------|---|---------------------------|
| For Petitioner(s) | : | Mr. Samarth Sharma        |
| For Respondent(s) | : | Mr. Vijay Singh Yadav, PP |

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

**05/05/2026**

- 1      These bail applications under Section 483 of BNSS are filed by the applicants-accused **Shahrukh S/o Mukhtyar** and **Suraj S/o Kalicharan**, seeking bail in respect of a criminal case registered as FIR No.111/2026 dated 10.04.2026 registered at P.S. Railway Colony District -Kota City for the offence under Sections 8/15 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. 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

applicants undertakes not to repeat offence and cooperate with investigation/trial, which will take time.

- 3** Learned counsel for the applicant submitted that the police has not complied the mandatory provisions under the NDPS Act before effecting search and seizure and has allegedly recovered contraband from the possession of the applicant. He further submitted that the recovered quantity of contraband is less than commercial quantity and the applicants are in custody.
- 4** Learned Public Prosecutor has vehemently opposed the bail applications and submitted that the allegations are grave and serious in nature.
- 5** Heard learned counsel for the parties and learned Public Prosecutor. Perused the material placed on record by both the parties.
- 6** On 11.04.2026, SHO, P.S., Railway Colony, District Kota City, detained two persons in suspicious conditions and, upon search of their bags, recovered 18 kg 550 grams of opium from the bag of Shah Rukh and 15 kg from the bag of Suraj. After completing the proceedings, FIR No. 111/2026 under Section 8/15 of the NDPS Act was registered at Police Station Railway Colony. Except for one case under Section 13 of the RPGO against Shahrukh, there is no criminal antecedent against the Suraj.
- 7** 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.

- 8** Thus, the instant bail applications filed on behalf of applicants-accused **Shahrukh S/o Mukhtyar and Suraj S/o Kalicharan**, 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.

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

(ASHOK KUMAR JAIN),J