

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal 3rd Miscellaneous Bail Application No. 7423/2026
URN: CRLMB / 13516U / 2026

Kalu S/o Chiranjilal, Aged About 21 Years, R/o Khatikan, Mohalla, Dausa, Police Station Kotwali Dausa, District Dausa. (At Present Accused Petitioner Confined In District Jail Dausa).

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Arvind Sharma
For Respondent(s)	:	Mr. Vijay Singh Yadav, PP

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

14/07/2026

1. The present 3rd bail application under Section 483 of BNSS is filed by the applicant-accused **Kalu S/o Chiranjilal** seeking bail in respect of a criminal case registered as FIR No.320/2025 dated 01.07.2025 registered at P.S. Kotwali (Dausa), District-Dausa, for the offence under Sections 8/21 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 petitioner is in custody since his arrest on 01.08.2025 and till now trial has not been completed. He also submitted that recovered quantity is 7.26gm. He further submitted that only two witnesses were examined and progress of trial is too slow. He also submitted that petitioner will abide by any condition imposed by Hon'ble Court.
4. Learned Public Prosecutor has vehemently opposed the bail application and submitted that the allegations are grave and serious in nature.
5. Heard learned counsel for the petitioner-accused and learned Public Prosecutor. Perused the material placed on record by both the parties.
6. The first bail application of the present petitioner was dismissed as withdrawn on 9th September, 2020. The second bail application was dismissed on 14th October, 2021, wherein this Court observed as under in para 6:

On 01.07.2025, Mahaveer Singh Jat, Sub-Inspector, P.S.Kotwali, District Dausa on suspicion has intercepted present applicant and after drawing a memo, has recovered 6.96grams of smack and after registration of case under Section 8/21 of NDPS Act, arrested present applicant on 01.07.2025 and a charge-sheet is filed against him. The material on record clearly indicate that four other cases under NDPS Act, were registered against the present applicant. Though,

current case, the recovered quantity is little higher than small quantity, but regular involvement of present applicant under NDPS Act case is sufficient to decline bail.

7. The material on record indicates that, till date, two witnesses have been examined. Learned counsel for the petitioner has contended that the mandatory provisions of the NDPS Act have not been complied with by the police. The issue regarding compliance with the mandatory provisions is dependent upon the outcome of the evidence led by the prosecution.
8. The material further indicates that several criminal cases have been registered against the petitioner, most of which are under the NDPS Act. Having considered the facts of the case and the fact that the petitioner has remained in custody for more than one year, it is appropriate to consider the bail application. Accordingly, the bail application of the petitioner is allowed.
9. 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.
10. Thus, the instant 3rd bail application filed on behalf of applicant-accused **Kalu S/o Chiranjilal**, 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 mark his attendance on first and third Tuesday of every month at P.S. Kotwali, Dist, Dausa. The SHO, P.S. Kotwali, Dausa shall forward his attendance to the trial court.
- (ii) The applicant-accused shall not tamper with evidence or influence the witness in any manner.
- (iii) The applicant-accused shall not indulge in any criminal activity and shall not repeat any criminal offence punishable under the Law.
- (iv) 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.
- (v) In case of any violation of above conditions, the bail granted to the applicant-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