

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous III Bail Application No. 15339/2025

Jalaram S/o Rajuram, Aged About 33 Years, R/o Kapoordi Police Station Mandli District Balotra At Present Chaupsani Housing Board Jodhpur Police Station Chaupsani Jodhpur City, Rajasthan (At Present Confined In District Jail, Dausa (Raj.)

-----Accused-Applicant

Versus

State of Rajasthan, through PP

-----Respondent

For Applicant	:	Mr. Rohit Khandelwal, Adv.
For Respondent	:	Mr. Shree Ram Dhakad, PP

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

Order

06/05/2026

1. The first bail application filed on behalf of the accused-applicant was dismissed as withdrawn with the liberty to file fresh after submission of charge-sheet, vide order dated 04.07.2025 passed by this Court in S.B. Criminal Miscellaneous Bail Application No.7918/2025 and the second bail application filed on behalf of the accused-applicant was dismissed on merits vide order dated 20.09.2025 passed by this Court in S.B. Criminal Miscellaneous II Bail Application No.10856/2025.
2. The present third bail application has been filed on behalf of the accused-applicant under Section 483 of B.N.S.S., 2023 in connection with FIR No.36/2025 registered at Police Station Manpur, District Dausa for the offence punishable under Section

8/15 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short the 'Act of 1985').

3. Learned counsel for the accused-applicant submits that the accused-applicant has falsely been implicated in this case. Learned counsel further submits that on 06.02.2025, more than 7000 kg of 'poppy husk' has been recovered from a container, which was in the possession of co-accused persons namely Sonu and Manoj and the same was being escorted via 'Innova' car driven by co-accused Hemraj. Learned counsel argues that no recovery of the alleged contraband has been made from the present accused-applicant and he has been made accused in this case, only on the basis of interrogation report qua the co-accused Hemraj, wherein it has been mentioned that on 18.12.2024, co-accused Hemraj made a call to the present accused-applicant and on 07.01.2025, the present accused-applicant made a call to the co-accused Hemraj. Learned counsel further argues that apart from these call details, no other evidence is available on record to connect the present accused-applicant with seizure of the contraband. Learned counsel also argues that no previous case under the Act of 1985 has been registered against the accused-applicant, however, an FIR No.146/2023 for the offences punishable under Sections 143, 147, 149, 323, 325, 342, 365 and 367 of IPC has been registered at Police Station Shastri Nagar, Jodhpur (West) against the present accused-applicant.

4. Learned counsel for the accused-applicant contends that charge-sheet has already been submitted against the present accused-applicant for the offence punishable under Section 8/29

of the Act of 1985. Learned counsel also contends that accused-applicant was arrested on 24.03.2025 and since then, he is behind the bars and trial is likely to take long time to conclude, therefore, the accused-applicant be granted benefit of bail.

5. Learned Public Prosecutor appearing on behalf of respondent-State vehemently opposes this bail application and submits that an FIR No.146/2023 for the offences punishable under Sections 143, 147, 149, 323, 325, 342, 365 and 367 of IPC has also been registered at Police Station Shastri Nagar, Jodhpur (West) against the present accused-applicant, therefore, the present accused-applicant is not entitled to be given benefit of bail.

6. Heard learned counsel for the parties and also perused the material available on record.

7. Considering the overall facts and circumstances of the case, looking to the long period of incarceration of the accused-applicant; the fact that no recovery of the alleged contraband has been made from the present accused-applicant and he has been involved in this case only on the basis of interrogation report qua the co-accused; the fact that charge-sheet has already been filed and the trial is likely to take long time to conclude, but without expressing any opinion on the merits/demerits of the case, this Court deems it proper to allow this third bail application filed by the accused-applicant.

8. Consequently, this third bail application filed under Section 483 of the B.N.S.S., 2023 is allowed. It is ordered that accused-applicant **Jalaram S/o Rajuram**, arrested in connection with FIR

No.36/2025 registered at Police Station Manpur, District Dausa shall be released on bail; provided he furnishes personal bond in the sum of Rs.1,00,000/- and two solvent attested sureties of Rs.50,000/- each to the satisfaction of the learned trial Court. Applicant shall be required to appear before that Court on all dates of hearing and as and when called upon to do so.

(ASHUTOSH KUMAR),J