HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous IInd Bail Application No. 7535/2026
CNR: RJHC020450462026 | URN: CRLMB / 13725U / 2026

Sahabuddin @ Abba S/o Shri Sajauddin @ Tutiya @ Sallauddin, R/o Dadabari At Present At Plot No. 134 A, Nagar Nigam Ke Peeche Sajidehda, Police Station Kishorepura, District Kota (Raj.). (At Present Confined In Central Jail, Kota).

----Applicant

Versus

The State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s)	:	Mr. Pawan Kumar Verma
For Respondent(s)	:	Mr. Manvendra Singh Shekhawat, PP

HON'BLE MR. JUSTICE SAMEER JAIN
Order

12/08/2026

1. The instant second bail application has been filed under Section 483 of the BNSS, 2023 on behalf of the accused-applicant. The accused-applicant was arrested in connection with FIR No. 91/2025 registered at Police Station Kishorepura, District Kota City for the offence(s) under Sections 8/21 of NDPS Act, 1985.

2. Learned counsel for the accused-applicant submits that the applicant is the sole bread earner of his family, aged about 37 years. It is further submitted that charge-sheet in the instant matter has already been filed. It is next submitted that the quantity of smack allegedly recovered is much less than the prescribed commercial quantity of 250 grams. It is lastly submitted that although the first bail application was rejected primarily on the ground of the applicant’s criminal antecedents, the completion of the investigation and filing of the charge-sheet constitutes a substantial change in circumstances.

3. *Per contra*, learned Public Prosecutor vehemently opposed the instant bail application, highlighting the criminal antecedents registered against the applicant.

4. Having heard the arguments advanced by learned counsel for the parties, upon an assiduous scanning of the material available on record, and considering the fact that the applicant is the sole bread earner of his family, aged about 37 years; that charge-sheet in the instant matter has already been filed; that the quantity of the recovered contraband is less than the prescribed commercial quantity, and keeping in mind the sacrosanct objective of the criminal reformative system, but without commenting on merits/demerits of the case, this Court is inclined to allow the second bail application of the accused-applicant and enlarge him on bail.

5. Accordingly, the present second bail application filed under Section 483 BNSS is allowed and it is ordered that accused-applicant **Sahabuddin @ Abba S/o Shri Sajauddin @ Tutiya @ Sallauddin** shall be enlarged on bail provided he furnishes a personal bond of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of learned trial Judge for his appearance before the Court concerned on all the dates of hearing as and when called upon to do so.

6. Considering the strong criminal antecedents registered against the accused-applicant, this Court, in the interest of societal welfare and restorative justice, deems it fit to direct the accused-applicant shall contribute to the *Swach Bharat Abhiyan*, initiative of the Government, for a period of two months, on two hours per day basis, as an honorary work, under the supervision and directions of

the SHO of the concerned police station in consonance with the directions of the Municipal Corporation/Local Administrative authorities concerned.

(SAMEER JAIN),J

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