HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 12004/2026
CNR: RJHC020727702026 | URN: CRLMB / 22079U / 2026

Jagan S/o Ramesh, Aged 28 Years, R/o Maliyo Ki Dhani, Udaipura, Police Station Balaji, District Dausa (Raj.)
(At Present In Sub Jail Hindaun City)

----Accused/Petitioner

Versus

The State of Rajasthan, Through PP

----Respondent

For Petitioner(s)	:	Mr. Umesh Kumar Sharma
For Respondent(s)	:	Mr. Manvendra Singh Shekhawat, PP

HON'BLE MR. JUSTICE CHANDRA PRAKASH SHRIMALI
Order

18/08/2026

1. The instant bail application has been filed under Section 483 BNSS on behalf of the accused-petitioner. The accused-petitioner has been arrested in connection with FIR No.196/2026 registered at Police Station-Todabhim, District-Karauli for the offences under Sections 8/21 & 8/29 of Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Learned counsel for the accused-petitioner submits that the accused-petitioner has falsely been implicated in this case. He further submits that the allegation against the accused-petitioner is that he is only the supplier of smack, whereas recovery of smack has been made from co-accused-Radheshyam, which is 5.41gm in quantity, which is less than commercial quantity and the co-accused-Radheshyam has already been granted bail by this Court. He also further submits that the petitioner is behind the bars since 10.07.2026 and 3 criminal antecedents registered

against the accused-petitioner and trial of the case may take considerable time, therefore, he prayed that the bail application of the accused-petitioner may be allowed.

3. Learned Public Prosecutor has vehemently opposed the bail application.

4. Heard and perused the material available on record.

5. In the present case, the accused-petitioner is in custody since 10.07.2026. Although, three criminal antecedents registered against the accused-petitioner, but in the case of ***Prabhakar Tewari Vs. The State of Uttar Pradesh*** reported in ***AIRONLINE 2020 SC 96***, the Hon'ble Supreme Court has held that mere pendency of the prior criminal case(s) against an accused cannot be the sole ground for rejecting his prayer for grant of bail.

6. Considering the arguments advanced by the learned counsel for the petitioner, looking to the facts of the case and criminal antecedents of the accused-petitioner without commenting anything on the merits of the case, this Court deems it just and proper to enlarge the accused-petitioner on conditional bail.

7. Accordingly, the bail application under Section 483 BNSS is allowed and it is ordered that the accused/petitioner-Jagan S/o Ramesh shall be enlarged on bail provided he furnishes a personal bond in the sum of Rs.1,00,000/- with two sureties of Rs.50,000/- each to the satisfaction of the learned trial Judge for his appearance before the Court concerned on all the dates of hearing and as and when called upon to do so.

8. The accused-petitioner be also directed to submit his present address along with the mobile number to the concerned SHO within seven days of release and the concerned SHO shall verify the said address and the mobile number. In case, if the petitioner changes his address or mobile number, he shall submit the same before the concerned SHO as also before the concerned learned trial Court.

9. The accused is also directed to mark his presence in 1st week of every month till conclusion of the trial before the concerned police station. The S.H.O. of the concerned police station shall mark his presence in register and send the presence report of the accused/petitioner on the same day (next day in case of holiday) to the trial Court every month.

10. In case of any breach to the above conditions and if he commits crime in similar offence, the learned Public Prosecutor shall be free to move an application against the petitioner for cancellation of the bail before the concerned Court.

11. As per order dated 31.01.2023 passed by the Hon'ble Supreme Court in ***SMWP (Criminal) No.04/2021 In Re Policy Strategy for Grant of Bail & SLP (Cri.) No.529/2021***, the copy of this order shall be sent to the concerned Jail Authority to inform the accused-petitioner and a copy of this order shall also be sent to the concerned SHO for its strict compliance.

(CHANDRA PRAKASH SHRIMALI),J

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