HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 6482/2020

Kumbha Ram @ Ganpat Singh S/o. Shri Narsing Ram, Jat, aged 38 years, R/o. Kherh, P.S. Panchpadra, District Barmer (Rajasthan)
(Lodged In District Jail, Chittorgarh).

----Petitioner

Versus

State, Through P.p.

----Respondent

For Petitioner(s)	:	Mr. Pradeep Shah, on VC
For Respondent(s)	:	Mr. Farzand Ali, GA cum AAG alongwith Mr. Sharvan Bishnoi, PP

HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI

Order

26/11/2020

In wake of onslaught of COVID-19, lawyers have been advised to refrain from coming to the Courts.

This Court has perused the material available on record.

The petitioner has been arrested in connection with FIR No.44/2019 of Police Station, Bhadeshar, District Chittorgarh for the offences punishable under Sections 8/15 & 8/29 of NDPS Act. He has preferred this bail application under Section 439 Cr.P.C.

Counsel for the petitioner submits that similarly situated co-accused person i.e. Kamlesh and Karnaram have been enlarged on bail by this Court vide CRLMB No.15389/2019 & 12948/2019 on 20.01.2020. The case of present accused-petitioner being not distinguishable, thus, his bail application deserves to be granted.

Learned Public Prosecutor has opposed the bail application but has not been able to point out any difference from Kamlesh and Karnaram.

Having regard to the totality of the facts and circumstances of the case as also the fact that conclusion of the proceedings is likely to take some time and without expressing any opinion on the merits of the case, this Court deems it just and proper to grant bail to the accused petitioner under Section 439 Cr.P.C.

Accordingly, this bail application filed under Section 439 Cr.P.C. is allowed and it is directed that petitioner **Kumbha Ram @ Ganpat Singh** shall be released on bail in connection with FIR No.44/2019 of Police Station, Bhadeshar, District Chittorgarh provided he executes a personal bond in a sum of Rs.50,000/- with two sound and solvent sureties of Rs.25,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(DR.PUSHPENDRA SINGH BHATI),J.

Sanjay/-

RAJASTHAN HIGH COURT
सत्यमेव जयते