HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous 3rd Bail Application No.14744/2024

Rohit Aswani S/o Mahesh Aswani, Aged About 19 Years, R/o Flat No. G-2, Plot No. A-354 To A-357, Raghuveer Residency, Anand Vihar -B, Dadi Ka Phatak, Police Station Kardhani, Jaipur. (Accused Petitioner Presently Confined In Central Jail Jaipur).

----Petitioner

Versus

State Of Rajasthan, Through PP

----Respondent

For Petitioner(s)	:	Mr. Mahendra Kumar
For Respondent(s)	:	Mr. Vivek Choudhary, PP

JUSTICE ANOOP KUMAR DHAND

Order

10/12/2024

1. The second bail application of the petitioner was rejected by this Court vide order dated 04.12.2023.

2. Learned counsel for the petitioner submits that after commencement of trial out of 15 witnesses statement of only 11 witnesses have been recorded so far and the petitioner is in custody since last more than three years, therefore, looking to the long incarceration of the petitioner, indulgence of bail be granted to the petitioner.

3. *Per contra*, learned Public Prosecutor opposed the prayer and submitted that huge quantity of contraband more than commercial quantity was recovered at the instance of the petitioner that is why looking to the embargo contained under Section 37 of the NDPS Act, the prayer of the petitioner was declined by this Court twice vide order dated 18.11.2022 and 04.12.2023. Learned

counsel submits that there is no change in the facts and circumstances of the case, which warrants any interference of this Court. Hence, the third bail application of the petitioner be rejected.

4. Heard and considered the submissions made at Bar and perused the material available on the record.

5. Considering the arguments put forward by learned Public Prosecutor and looking to the fact that after rejection of the first and second bail application, there is no change in the facts and circumstances of the case, which warrants any interference of this Court.

6. Accordingly, the third bail application stands dismissed.

7. However, it is expected from the trial court to make all possible endeavors to expedite the trial as early as possible.

(ANOOP KUMAR DHAND),J

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