HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 15357/2024

Laxman S/o Kishor, Aged About 31 Years, R/o Khachrol, Police Station Mandalgarh, District Bhilwara (Raj) (At Present Confined In Central Jail Ajmer)

----Petitioner

Versus

State of Rajasthan through PP

----Non-petitioner

For Petitioner(s)	:	Mr. Vinay Pal Yadav
For Respondent(s)	:	Mr. Rishi Raj Singh Rathore, PP

HON'BLE MR. JUSTICE SAMEER JAIN

Order

20/12/2024

1. The instant bail application has been filed under Section 483 BNSS on behalf of accused-applicant. The accused-applicant had been arrested in connection with FIR No. 76/2021 registered at Police Station Borada District Ajmer for the offence(s) under Section 8/15 of NDPS Act.

2. Learned counsel for the accused-applicant has submitted that the applicant is approxiamtely 31 years of age and is the sole bread earner of the family. It is further submitted that the co-accused Prakash Choudhary and Om Prakash who have been on similar pedestal as that of the accused-applicant herein, have already been enlarged on bail vide orders dated 30.09.2022 and 16.08.2022.

3. Learned counsel has further submitted that accused-applicant has been incarcerated ever-since 10.02.2024 and the *challan* qua the instant matter has already been filed.

4. *Per contra*, learned Public Prosecutor has vehemently opposed the bail application and submitted that accused-applicant has two criminal antecedents.

5. Considering the arguments advanced by the counsel for the parties, and taking note of the fact that vide orders dated 30.09.2022 and 16.08.2022 the co-accused Prakash Choudhary and Om Prakash, who have been on the similar pedestal as that of the applicant have already been enlarged on bail; that one of the co-accused despite having antecedents registered against him is enlarged on bail; that the accused-applicant is the sole bread earner of the family; that the applicant is incarcerated ever since 10.02.2024; that *challan* has already been filed and looking to the overall facts and circumstances of the case and material on record but without commenting on merits/demerits of the case, this court is inclined to allow the bail application of the accused-applicant and enlarge the accused-applicant on bail.

6. Accordingly, the bail application under Section 483 BNSS is allowed and it is ordered that accused-applicant **Laxman S/o Kishor** 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.

(SAMEER JAIN),J

JKP/8