HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 2732/2024

Gurtej Singh @ Fauji S/o Sukhmander Singh, Aged About 37 Years, R/o Ward No. 05, Nourangdesar, Ps Hanumangarh Town, Dist Hanumangarh, Raj (Lodged In Dist Jail Hanumangarh)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s) : Mr. Baltej Singh
For Respondent(s) : Mr. Gourav Singh

HON'BLE MR. JUSTICE MADAN GOPAL VYAS

Order

05/03/2024

The petitioner has been arrested in connection with FIR No. 194/2023 of Police Station Hanumangarh Town, District Hanumangarh for the offence/s punishable under Section 8/21 of NDPS Act. He has preferred this bail application under Section 439 Cr.P.C.

2) Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this present case. It is further submitted that the recovered contraband is below commercial quantity and the co-accused Sahil Kumar has already been granted bail by this Court vide order dated 27.4.2023 passed in SB Criminal Misc. Bail Application No. 4587/2023. The accused-petitioner is in custody since long and the trial of the case will take long time. Therefore, the benefit of bail should be granted to the accused-petitioner.

3) Learned Public Prosecutor has vehemently opposed the bail application and submitted that the petitioner is a habitual offender.

4) Having regard to the totality of the facts and circumstances of the case, without expressing any opinion on the merits of the case, I deem it just and proper to grant bail to the accused petitioner under Section 439 Cr.P.C.

5. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed and it is directed that petitioner -Gurtej Singh @ Fauji S/o Sukhmander Singh shall be released on bail in connection with FIR No. 194/2023 of Police Station Hanumangarh Town, District Hanumangarh, provided he executes a personal bond in a sum of Rs.1,00,000/- with two sound and solvent sureties of Rs.50,000/- 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. The petitioner is further directed not to take undue advantage of liberty or misuse liberty.

(MADAN GOPAL VYAS),J

ns. 340-1/-