HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 498/2025

Parasram S/o Shri Biharilal, Aged About 42 Years, R/o Lun Ki Kua, Banjara Basti ,p.s. Gangapur, At Present Kamal Talai Kankroli , P.s, Kankaroli, Dist Rajsamand, Raj (At Present Lodged In Dist Jail Pali)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s)	:	Mr. Bhanwar Singh
For Respondent(s)	:	Mr. Sharwan Singh, PP

HON'BLE MR. JUSTICE VINIT KUMAR MATHUR

Order

30/01/2025

The present bail application has been filed under Section 439 Cr.P.C. on behalf of the petitioner who is in custody in connection with F.I.R. No.111/2020, Police Station Rani, District Pali for the offences under Sections 8/15 & 8/29 of N.D.P.S. Act, 1985.

Heard learned counsel for the petitioner and learned Public Prosecutor. Perused the material available on record.

It is submitted on behalf of the petitioner that there is no recovery of contraband from the possession of the petitioner and charge sheet in the present case has been filed. He further submits that there is no case of like nature pending or decided against the petitioner. He submits that the petitioner has been implicated only on the statement of co-accused Madhu Ram and there is no other evidence to connect the petitioner with the recovery of the contraband in the present case. He submits that the co-accused Madhu Ram already been granted bail by this

Court vide order dated 07.03.2024 and the case of the present petitioner is not distinguishable from the case of the co-accused who has already been released on bail by this Court.

The learned Public Prosecutor opposes the bail application but he is unable to distinguish the case of the present petitioner vis-a-vis the case of the co-accused persons who has been enlarged on bail.

Having regard to the facts and circumstances of the case and upon a consideration of the arguments advanced and considering the fact that the case of the present petitioner is identical to co-accused aforesaid who have been enlarged on bail by this Court, this Court is of the opinion that the petitioner is also entitled for the grant of bail under Section 439 Cr.P.C.

Consequently, the bail application filed under Section 439 Cr.P.C. is allowed. It is ordered that the accused-petitioner Parasram S/o Shri Biharilal arrested in connection with F.I.R. No.111/2020, Police Station Rani, District Pali, shall be released on bail; provided he furnishes a personal bond of Rs.1,00,000/- (Rupees: One Lakh Only) with two sureties of Rs.50,000/- (Rupees: Fifty Thousand Only) each to the satisfaction of the learned trial court with the stipulation to appear before that Court on all dates of hearing and as and when called upon to do so.

VINIT KUMAR MATHUR),J

119-SanjayS/-