HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous II Bail Application No. 2188/2025

Ambalal S/o Lehrulal Gadri, Aged About 30 Years, R/o Rewliya Kalaa, P.s. Bhadesar, Dsit.chittorgarh,raj. (Lodged In Dist. Jail, Chittorgarh)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s) : Mr. Ashok Khilery
For Respondent(s) : Mr. Vikram Rajpurohit, Dy.G.A.

HON'BLE MR. JUSTICE FARJAND ALI

Order

14/02/2025

1. The jurisdiction of this Court has been invoked by way of filing an application under Section 439 Cr.P.C. at the instance of accused-petitioner. The requisite details of the matter are tabulated herein below:

S.No.	Particulars of the Case	
1.	FIR Number	217/2022
2.	Concerned Police Station	Shambopura
3.	District	Chittorgarh
4.	Offences alleged in the FIR	Under Sections 8/15 & 8/25 of the NDPS Act
5.	Offences added, if any	--
6.	Date of passing of impugned order	07.02.2025

2. It is contended on behalf of the accused-petitioner that no case for the alleged offences is made out against him and his incarceration is not warranted. There are no factors at play in the case at hand that may work against grant of bail to the

accused-petitioner and he has been made an accused based on conjectures and surmises.

3. Contrary to the submissions of learned counsel for the petitioner, learned Public Prosecutor opposes the bail application and submits that the present case is not fit for enlargement of accused on bail.

4. I have considered the submissions made by both the parties and have perused the material available on record. The principal accused from whose custody the contraband came to be recovered as well as the other accused persons have been enlarged on bail. The present petitioner is made accused in this case solely on the basis of being the registered owner of the vehicle. The submission of learned counsel for the petitioner Shri Ashok Khilery has a substance that there is no evidence even for the name sake from which an inference can be drawn that the petitioner was having knowledge regarding illicit transportation of contraband. Be that as it may. There is high probability that the trial may take long time to conclude. In light of these facts and circumstances, it is deemed suitable to grant the benefit of bail to the petitioner in the present matter.

5. Accordingly, the instant bail application under Section 439 Cr.P.C. is allowed and it is ordered that the accused-petitioner as named in the cause title shall be enlarged on bail provided he furnishes a personal bond in the sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the learned trial Judge for his appearance before the court

concerned on all the dates of hearing as and when called upon to do so.

(FARJAND ALI),J

207-Samvedana/-