HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 13936/2024

Deepak S/o Shri Kamal, Aged About 23 Years, R/o Village Sabalpura, P.s. Sukher, Dist. Udaipur,raj. (Presently Lodged In Central Jail, Udaipur)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 14591/2024

Shubham S/o Laluram, Aged About 24 Years, R/o Sabalpura, P.s. Sukher, Dist. Udaipur (Raj.) (At Present Lodged In Central Jail Udaipur)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s)	:	Mr. Shambhoo Singh Rathore Mr. Digvijay Singh Chouhan
For Respondent(s)	:	Mr. Urja Ram Kalbi, PP

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

07/01/2025

1. These applications for bail under Section 483 BNSS have been filed by the petitioners who have been arrested in connection with F.I.R. No.565/2024 registered at Police Station Sukher, District Udaipur for the offence under Section 8/22 of the NDPS Act.

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

3. This Court vide order dated 18.12.2024 directed the learned Public Prosecutor to call for the FSL report of the contraband recovered from the conscious possession of the petitioners.

4. The FSL report has been produced by the learned Public Prosecutor before this Court, in compliance of the order dated

18.12.2024 which indicates that the contraband allegedly recovered from the conscious possession of the present petitioners is Mephedrone (MD) which is included in the list of psychotropic substance as per clause xxiii of Section 2 of the NDPS Act.

5. In view of the FSL report dated 27.12.2024, this Court *prima facie* finds that the contraband recovered from the conscious possession of the present petitioners is below commercial quantity. This Court also *prima facie* finds that no case of similar nature has been lodged against the present petitioners. Having considered the rival submissions, facts and circumstances of the case, without expressing any opinion on merits/demerits of the case, this Court is inclined to enlarge the petitioners on bail.

6. Consequently, these bail applications under Section 483 BNSS are allowed. It is ordered that the accused-petitioners **(1) Deepak S/o Shri Kamal,** and **(2) Shubham S/o Laluram,** arrested in connection with F.I.R. No.565/2024 registered at Police Station Sukher, District Udaipur shall be released on bail, if not wanted in any other case, provided each of them furnishes a personal bond of Rs.1,00,000/- and two sureties of Rs.50,000/- each, to the satisfaction of learned trial court, for their appearance before that court on each & every date of hearing and whenever called upon to do so till completion of the trial.

7. A copy of this order be placed in each file.

(KULDEEP MATHUR),J

39-40-mohit/-