HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous 2nd Bail Application No. 6069/2026
CNR: RJHC020366312026 | URN: CRLMB / 10839U / 2026

Kailash Dhakad S/o Jhamaklal, Aged About 40 Years, R/o Village Kanjadi Police Station Manasa District Neemach Mp. (At Present Confined At Central Jail Kota).

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s)	:	Mr. Abdul Rahim Khan
For Respondent(s)	:	Mr. M. S. Shekhawat, PP

HON'BLE MR. JUSTICE SAMEER JAIN

Order

25/11/2026

1. The instant bail application has been filed under Section 483 BNSS on behalf of accused-applicant. The accused-applicant was arrested in connection with FIR No. 197/2024 registered at Police Station R. K. Puram District Kota City for the offence(s) under Sections 8/15 of NDPS Act, 1985.

2. Learned counsel for the accused-applicant submits that the applicant is the sole bread earner of the family and is aged 40 years. It is also submitted that applicant is behind the bars since two and half years and charge-sheet has been filed. Learned counsel has relied upon the order dated 10.01.2025 of the Hon'ble Supreme Court in **Special Leave to Appeal (Cr.) No. 16671/2024** titled as **Shambhulal Gurjar Vs. State of Raj**., wherein considering the custody period and hardship of the accused, he was granted benefit of bail. Relying upon the said

order, learned counsel submits that matter of the present applicant is on better footing. Learned counsel further submits that the conclusion of trial is likely to take a long time and no useful purpose would be served by keeping the applicant behind bars till disposal of the case.

3. *Per contra*, learned Public Prosecutor has vehemently opposed the bail application.

4. Having heard the arguments advanced by the learned counsel for the parties and considering the fact that accused-applicant is sole bread earner of the family aged 40 years; charge-sheet has been filed; accused-applicant is behind bars since two and half years; considering the custody period, the fact that Hon'ble Supreme Court has also granted benefit of bail in SLP (Cr.) No. **16671/2024** 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 him on bail.

5. Accordingly, the bail application under Section 483 BNSS is allowed and it is ordered that accused-applicant **Kailash Dhakad S/o Jhamaklal** 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

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