HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 10969/2026
CNR: RJHC020659462026 | URN: CRLMB / 20307U / 2026

Rakesh Kachchhawa Son Of Shri Anadaram, Aged About 23 Years, Resident Of Village Alniyawas, Police Station Thavla, District Nagaur, At Present Village Butati, Police Station Kuchera, District Nagaur. At Present Petitioner Confined In Central Jail Jaipur (Raj.)

----Petitioner

Versus

State Of Rajasthan, Through P.p.

----Respondent

For Petitioner(s)	:	Mr. Rahmat Ali Mr. Govind Singh Ms. Jyoti
For Respondent(s)	:	Mr. Vivek Sharma, PP

HON'BLE MR. JUSTICE PRAMIL KUMAR MATHUR

Order

28/10/2026

1. The petitioner has preferred this bail application under Section 483 of BNSS in FIR No.76/2026 registered at Police Station Galtagate, District Jaipur City (North) for the offence under Sections 8 and 22 of NDPS Act, 1985.

2. Heard learned counsel for the petitioner as well as learned Public Prosecutor and perused the material available on record.

3. Learned counsel for the petitioners contends that petitioner has falsely been implicated in this case. He submits that nothing has been recovered from the conscious possession of the petitioner and the petitioner has been implicated in the present case solely on the basis of the disclosure statements made by the

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co-accused Bhagat Singh and Vikas. Petitioner is behind the bars since 20.05.2026 without any criminal past. Charge-sheet has already been filed. The trial of the case will take considerable time, therefore, no fruitful purpose would be served by keeping the petitioner in further custody, consequently, the bail application of the petitioner may be allowed.

4. Learned Public Prosecutor has vehemently opposed the bail application and submits that though no contraband has been recovered from the possession of the petitioner but there is a specific allegation against him that an amount of ₹67,000/- was transferred to him in connection with the supply of 162.96 grams of Mephedrone to the co-accused. He further submits that the material available on record indicates that the petitioner was in regular contact with the co-accused Bhagat Singh and Vikas, who allegedly transferred the aforesaid amount of ₹67,000/- to the petitioner. He contends that the contraband involved in the present case falls within the category of commercial quantity and, therefore, unless the twin conditions stipulated under Section 37 of the NDPS Act are satisfied, the petitioner is not entitled to the grant of bail.

5. Having considered the rival submissions advanced by learned counsel for the parties and upon perusal of the material available on record, it transpires that the allegation against the present petitioner is that he supplied the contraband involved in the present case, which falls within the category of commercial quantity. The record further reveals the existence of WhatsApp call details indicating communication between the petitioner and the co-accused Bhagat Singh, from whose conscious possession

162.96 grams of Mephedrone was recovered. It also emerges from the case diary that the co-accused Bhagat Singh allegedly transferred an amount of ₹67,000/- through UPI to the bank account of the petitioner in connection with the aforesaid contraband. These circumstances prima facie indicate the involvement of the petitioner in the commission of the alleged offence. Furthermore, learned counsel for the petitioner has failed to satisfy this Court that the twin conditions stipulated under Section 37 of the NDPS Act stand fulfilled. Therefore, this Court does not deem it appropriate to release the petitioner on bail.

6. Accordingly, the bail application under Section 483 B.N.S.S. is hereby dismissed.

(PRAMIL KUMAR MATHUR),J

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