**HIGH COURT OF JUDICATURE FOR RAJASTHAN**
**BENCH AT JAIPUR**

S.B. Criminal Miscellaneous Bail Application No. 17271/2026
CNR: RJHC021054662026 | URN: CRLMB / 31785U / 2026

Kalu @ Jabbar S/o Shobhagmal, aged about 35 years, R/o Pani Ki Tanki Ke Paas, Mukeri Mohalla, Jhalrapatan, Police Station Jhalrapatan, District Jhalawar (Raj.)
(At present accused petitioner is confined in District Jail Jhalawar)

----Petitioner

Versus

State of Rajasthan, through P.P.

----Respondent

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| For Petitioner(s) | : | Mr. Abhilash Sharma |
| For Respondent(s) | : | Mr. Amit Kumar Gupta, P.P. |

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**HON'BLE MR. JUSTICE ANIL KUMAR UPMAN**

**Order**

**19/11/2026**

1. This bail application under Section 483 of BNSS has been filed on behalf of the petitioner, who has been arrested in connection with FIR No.297/2026 registered at Police Station Jhalra Patan, District Jhalawar for offences punishable under Sections 8/21 & 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short "NDPS Act").

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. Counsel submits that the alleged recovery of 6 g of smack from the petitioner is imaginary. It is further submitted that the alleged recovered contraband is below commercial quantity and therefore, provisions of Section 37 of the NDPS Act are not attracted. It is submitted

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that trial is likely to take considerable time in its conclusion. Counsel further submits that petitioner is in custody since 20.09.2026 and further custody of the petitioner would not serve any fruitful purpose.

3. Learned Public Prosecutor opposes the submissions advanced on behalf of petitioner. He submits that the petitioner is a habitual offender and there are twenty criminal antecedents against the petitioner.

4. I have considered the contentions.

5. Having regard to the totality of the facts and circumstances of the case; considering the arguments advanced by learned counsel for the petitioner, especially the fact that alleged contraband is below commercial quantity and petitioner is in custody since 20.09.2026 and trial is likely to take considerable time in its conclusion, but without commenting anything on the merits/demerits of the case, this Court deems it fit and proper to allow the bail application.

6. This bail application is accordingly allowed and it is directed that accused-petitioner- **Kalu @ Jabbar S/o Shobhagmal** shall be released on bail provided he furnishes a personal bond in the sum of Rs.5,00,000/- together with two sureties in the sum of Rs.2,50,000/- each to the satisfaction of the learned trial Court with the stipulation that he shall appear before that Court and any court to which the matter is transferred, on all subsequent dates of hearing and as and when called upon to do so.

7. It is made clear that the accused-petitioner shall not involve in any other similar offence(s) during currency of the bail and he

shall mark his presence in first week of every month in the concerned police station till conclusion of trial.

8. Concerned SHO shall enter attendance of the petitioner in the Roznamcha. In case the petitioner fails to mark his presence in the concerned police station, the concerned SHO is directed to immediately report the matter to the concerned Court in this regard.

9. If any breach of these conditions is reported or comes to the notice of the Court, the same shall alone be a reason for the trial Court to cancel the bail granted to him by this Court.

10. Office is directed to send a copy of this order to the concerned SHO for necessary compliance.

11. The observations made hereinabove are only for decision of the bail application and would not have any impact on the trial of the case in any manner.

**(ANIL KUMAR UPMAN),J**

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