



**HIGH COURT OF JUDICATURE FOR RAJASTHAN  
AT JODHPUR**

S.B. Criminal Miscellaneous Bail Application No. 1744/2026  
CNR: RJHC010111962026 | URN: CRLMB / 3983U / 2026

Chimaram Alias Chimna Ram S/o Jaira Ram, Aged About 30  
Years, Resident Of Mukne Ka Tala Leelsar Police Station Chohtan  
District Barmer Rajasthan. (At Present Lodged In Dist. Jail  
Pratapgarh)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

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|-------------------|---|---------------------------|
| For Petitioner(s) | : | Mr. Vijay Kumar Gaur      |
| For Respondent(s) | : | Mr. Hanuman Prajapati, PP |

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**HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU**

**Order**

**10/08/2026**

This application for bail under Section 483 of the Bharatiya  
Nagarik Suraksha Sanhita, 2023 (Section 439 Cr.P.C.) has been  
filed by the petitioner, who has been arrested in connection with  
F.I.R. No.92/2023 registered at Police Station Chhoti Sadari,  
District Pratapgarh, for offences punishable under Sections 8/15  
and 29 of the Narcotic Drugs and Psychotropic Substances Act,  
1985.

Learned counsel for the petitioner submits that the petitioner  
has been implicated in the present case solely on the basis of the  
disclosure statements of co-accused Ramesh and Girdhari, which  
were recorded in connection with F.I.R. No.93/2023. It is  
submitted that, in the said disclosure statements, the names of  
the petitioner Chima Ram as well as co-accused Kamal Singh have

surfaced. Learned counsel submits that the statements made by the co-accused while in police custody cannot, by themselves, be treated as substantive evidence against the petitioner, except to the limited extent permissible in law. It is further submitted that similarly situated co-accused Kamal Singh has already been enlarged on bail by a Co-ordinate Bench of this Court vide order dated 17.07.2025, despite the fact that certain other cases under the NDPS Act were also pending against him.

Learned counsel further submits that the investigation qua the petitioner is complete and the charge-sheet has already been filed. The petitioner has remained in custody since 09.07.2025. It is contended that there is no direct evidence connecting the petitioner with the alleged offence apart from the disclosure statements recorded in connection with another FIR and, therefore, the petitioner is entitled to the benefit of parity with co-accused Kamal Singh.

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

This Court has considered the submissions advanced on behalf of the parties and perused the material available on record.

It appears from the record that the petitioner has been implicated in the present case on the basis of the disclosure statements made by co-accused Ramesh and Girdhari in connection with F.I.R. No.93/2023. The names of the petitioner Chima Ram and co-accused Kamal Singh are stated to have surfaced in the said statements. At this stage, apart from the said

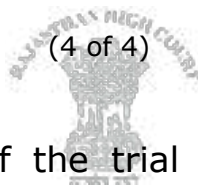


disclosure statements, no material indicating recovery of the contraband from the conscious possession of the petitioner has been pointed out.

It is further noticed that similarly situated co-accused Kamal Singh has already been enlarged on bail by a Co-ordinate Bench of this Court vide order dated 17.07.2025. While considering the said bail application, the fact that certain cases under the NDPS Act were pending against the said co-accused was also taken into consideration. The petitioner, in the present case, has remained in custody since 09.07.2025, the investigation has been completed and the charge-sheet has already been filed.

Having regard to the material presently available on record, the absence of recovery of contraband from the conscious possession of the petitioner, the nature of the evidence collected during investigation and the fact that the case against the petitioner substantially rests upon the disclosure statements of co-accused, this Court is of the prima facie opinion that reasonable grounds exist for believing that the petitioner may not be guilty of the alleged offence. There is also nothing substantial on record to indicate that, if released on bail, the petitioner is likely to commit any offence while on bail. Consequently, for the limited purpose of consideration of the present bail application, the twin conditions contemplated under Section 37 of the NDPS Act stand satisfied.

Hence, keeping in view the overall facts and circumstances of the case, the period of custody undergone by the petitioner, completion of investigation and filing of the charge-sheet, and the



fact that the conclusion of the trial is likely to take time, but without expressing any opinion on the merits of the case, this Court deems it just and proper to enlarge the petitioner on bail under Section 483 of the BNSS.

Consequently, the bail application under Section 483 of the BNSS (Section 439 Cr.P.C.) is **allowed**. It is ordered that accused-petitioner **Chima Ram alias Chimna Ram S/o Jaira Ram**, arrested in connection with F.I.R. No.92/2023 registered at Police Station Chhoti Sadari, District Pratapgarh, shall be released on bail, if not wanted in any other case, provided he furnishes a personal bond in the sum of Rs.1,00,000/- and two sureties in the sum of Rs.50,000/- each to the satisfaction of the learned trial Court, for his appearance before the said Court on each and every date of hearing and whenever called upon to do so till conclusion of the trial.

It is, however, made clear that the observations made hereinabove are confined only to the adjudication of the present bail application and shall not be construed as an expression of opinion on the merits of the case. The learned trial Court shall decide the matter independently, uninfluenced by any observation made in this order.

**(BALJINDER SINGH SANDHU),J**