

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

S.B. Criminal Miscellaneous Bail Application No. 3356/2026
CNR: RJHC010235862026 | URN: CRLMB / 7716U / 2026

Kumbharam Alias Munna S/o Ruparam, Aged About 31 Years,
R/o Praganiya Ki Dhani Khariya Talla, P.s. Barmer Rural, District
Barmer, Rajasthan (At Present Lodged In Dist. Jail Balotra)

-----Petitioner

Versus

State Of Rajasthan, Through P.P.

-----Respondent

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

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

10/08/2026

Heard learned counsel for the parties and perused the material available on record.

The petitioner has been arrested in connection with FIR No. 182/2025 registered at Police Station Pachpadra, District Balotra, for the offences punishable under Sections 8/15 and 8/29 of the NDPS Act. The present bail application has been preferred under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

Learned counsel for the petitioner submits that, in the present case, the alleged contraband weighing 1179.60 kg of poppy straw was recovered from the ambulance which was being driven by Peeraram. He was apprehended at the spot and disclosed that he was accompanied by Andaram, who fled from the spot. It is submitted that the alleged contraband was brought

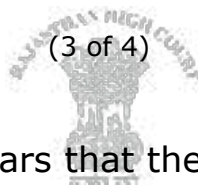


from Munna. Learned counsel further submits that, in his information/statement under Section 23(2), Peeraram stated that the contraband had been brought at the instance and on the directions of Munna. It is submitted that the mobile phone recovered from co-accused Peeraram showed one mobile number, but the said number pertains to a SIM card registered in the name of Rajjak Ali and not the petitioner. It is further submitted that Rajjak Ali has neither been interrogated in the present case nor does his name appear anywhere in the investigation. Only screenshots have been taken, which do not disclose the name of the petitioner at all. In such circumstances, there is no link to establish that the mobile phone was being used by the petitioner or that the petitioner was connected with the said phone in any manner.

Learned counsel further submits that the petitioner's name is Kumbharam, whereas the authorities are implicating him under the alias "Munna". It is further submitted that the petitioner has been in judicial custody since 07.02.2026 and, after completion of the investigation, the charge-sheet has already been filed. The trial is likely to take considerable time to conclude.

Per contra, learned Public Prosecutor has vehemently opposed the bail application. However, he submits that the investigation reveals that the accused Peeraram was in contact with the petitioner over the phone.

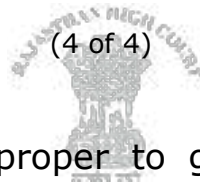
This Court has considered the submissions advanced by learned counsel for the parties and has perused the material



available on record. It appears that the recovery has been effected from the conscious possession of Peeraram and nothing has been recovered from the petitioner. The petitioner is sought to be implicated primarily on the basis of the information/statement given by Peeraram under Section 23(2), wherein he stated the name as "Munna", whereas the petitioner claims his name to be Kumbharam. Moreover, the SIM holder, Rajjak Ali, has not been interrogated, and prima facie, the charge-sheet does not reflect any cogent evidence connecting the petitioner with the said mobile phone. The charge-sheet has already been filed in the matter. So far as the other criminal cases are concerned, the petitioner has not been convicted in any of those cases.

Having regard to the material presently available on record, the absence of recovery from the conscious possession of the petitioner, the nature of the evidence collected during investigation, 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 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 deciding the present bail application, the rigours contained in Section 37 of the NDPS Act stand satisfied.

Hence, keeping in view the fact that the conclusion of the trial is likely to take considerable time and that the prosecution has not shown any reasonable apprehension that the petitioner is likely to flee from justice in the event of his release on bail, this



Court deems it just and proper to grant bail to the petitioner under Section 483 of the BNSS, 2023, without expressing any opinion on the merits of the case.

Accordingly, the present bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is **allowed**. It is directed that the petitioner, **Kumbharam Alias Munna S/o Ruparam**, shall be released on bail in connection with the aforesaid FIR, if not wanted in any other case, provided he furnishes a personal bond in the sum of Rs.1,00,000/- along with two sound and solvent 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 the conclusion of the trial.

It is, however, made clear that the observations made herein are only for the purpose of deciding 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 observations contained in this order.

(BALJINDER SINGH SANDHU),J