HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 8171/2026
CNR: RJHC010560282026 | URN: CRLMB / 17704U / 2026

Aarif Khan S/o Makbul, Aged About 30 Years, R/o Ward No.ward No. 13, Nohar, Tehsil Nohar, District Hanumangarh, Raj. Presently Lodged At Sub-Jail Nohar District Hanumangarh

----Petitioner

Versus

State Of Rajasthan, Pp

----Respondent

For Petitioner(s)	:	Mr. R.S. Choudhary
For Respondent(s)	:	Mr. Hanuman Prajapati, PP

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

04/08/2026

This application for bail under Section 483 BNSS (439 Cr.P.C.) has been filed by the petitioner who has been arrested in connection with F.I.R. No.128/2026 registered at Police Station Nohar, District Hanumangarh, for offences under Sections 8/21 and 29 of the NDPS Act.

Learned counsel for the petitioner submitted that the contraband recovered is 6.35 gm of Heroine which is below commercial quantity and same is recovered from co-accused Salman and nothing has been recovered from the petitioner. So far as the cases against the petitioner are concerned, there is only one case under NDPS Act, he has not been convicted in any similar case. After investigation, charge sheet has been filed in the matter. Learned counsel submitted that the petitioner is in judicial

custody since 01.06.2026 and the trial of the case will take sufficiently long time, therefore, the benefit of bail may be granted to the accused-petitioner.

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

This Court has considered the rival submissions, facts and circumstances of the case as well as perused the material available on record. The contraband recovered is 6.35 gm of Heroine which is below commercial quantity and same is recovered from co-accused Salman and nothing has been recovered from the petitioner. So far as the cases against the petitioner are concerned, there is only one case under NDPS Act, he has not been convicted in any similar case. The petitioner is in judicial custody since 01.06.2026.

Hence, keeping in view the overall facts and circumstances of the case; conclusion of the trial of the case is likely to take time; the narcotic contraband alleged to be recovered is below commercial quantity; the prosecution has not shown any apprehension of the petitioner fleeing away from justice, in case he is enlarged on bail; but, without expressing any opinion on the merits of the case, I deem it just and proper to grant bail to the petitioner under Section 483 of BNSS.

Consequently, the bail application under Section 483 BNSS (439 Cr.P.C.) is allowed. It is ordered that the accused-petitioner **Aarif Khan S/o Makbul** arrested in connection with FIR No.128/2026 registered at Police Station Nohar, District Hanumangarh, shall be released on bail, if not wanted in any other

case, provided he furnishes a personal bond of Rs.1,00,000/- and two sureties of Rs.50,000/- each, to the satisfaction of learned trial court, for his appearance before that court on each & every date of hearing and whenever called upon to do so till completion of the trial.

(BALJINDER SINGH SANDHU),J

47/Mayank Chouhan