HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 9279/2026

CNR: RJHC010643212026 | URN: CRLMB / 20180U / 2026

Mukesh Kumar S/o Shri Liluram, Aged About 34 Years, Resident Ban Mandori P.s.bhatoo Kala Tehsil And District Fatehabad Haryana. (Presently Lodged In District Jail Churu)

----Petitioner

Versus

State Of Rajasthan, Through Public Prosecutor

----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 8696/2026

CNR: RJHC010619522026 | URN: CRLMB / 18853U / 2026

Rajkumar S/o Shree Pawan Kumar, Aged About 28 Years, Resident Of Golagarh, Police Station Jui, District Bhiwani (Haryana.)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s)	:	Mr. Harsh Shekhawat Mr. Sunil Fageria for Mr. Vikas Bijarnia
For Respondent(s)	:	Ms. Sonu Manawat, PP

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

03/08/2026

CRLMB NO.9279/2026 & 8696/2026:

1. These applications for bail under Section 483 BNSS have been filed by the petitioners, who have been arrested in connection with F.I.R. No.59/2026 registered at Police Station

Dudwa Khara, District Churu for the offence under Section 8/15 of NDPS Act.

2. Learned counsel for the petitioner contends that petitioners are quite an innocent person. They have falsely been implicated in this case. The allegedly recovered contraband substance (10 Kg 240 Grams of Poppy Straw) is below commercial quantity, as prescribed under the NDPS Act and, as such, rigour of Section 37 of the NDPS Act of not releasing the accused on bail is not attracted. Recovery has already been affected and nothing is to be recovered from the petitioners. So far as petitioner Mukesh Kumar is concerned, there is only one case of NDPS Act pending trial and rest are under various provisions of Indian Penal Code and as far as petitioner-Raj Kumar is concerned, his criminal antecedents are clear. Both the petitioners are in judicial custody since 17.06.2026 and trial of case is likely to take a long time, therefore, benefit of bail may be granted to the petitioners.

3. Per contra, learned Public Prosecutor opposed application, however, is not in a position to refute the aforesaid submissions.

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

5. Having considered the rival submissions, facts and circumstances of the case; the alleged recovery is below commercial quantity; only one case under NDPS Act is pending trial and rest are under IPC offences against petitioner-Mukesh Kumar and petitioner-Raj Kumar has no criminal antecedents; conclusion of trial of the case is likely to take time and the prosecution has not shown any apprehension of the petitioners fleeing away from justice in case they are 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 petitioners under Section 483 of BNSS.

6. Consequently, the bail applications under Section 483 BNSS are allowed. It is ordered that the accused-petitioner **Mukesh Kumar S/o Shri Liluram** and **petitioner-Rajkumar S/o. Shree Pawan Kumar** arrested in connection with F.I.R. No.59/2026 registered at Police Station Dudwa Khara, District Churu, shall be released on bail, if are not wanted in any other case, provided each of them 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 their 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

84-85/Sanjay Tanwar