HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 9272/2026
CNR: RJHC010663192026 | URN: CRLMB / 20168U / 2026

1. Om Prakash S/o Kishan Ram Vishnoi Dhaka, Aged About 34 Years, R/o Kavakhena School Ke Pass, Dhantiwas Police Station Bhinmal District Jalore (At Present Lodged In District Jail Sirohi)
2. Hanuman Ram S/o Shri Hema Ram Vishnoi Dhaka, Aged About 48 Years, R/o Kavakhena School Ke Pass Dhantiwas Police Station Bhinmal District Jalore (At Present Lodged In District Jail Sirohi)

----Petitioners

Versus

State Of Rajasthan, Through Public Prosecutor

----Respondent

For Petitioner(s)	:	Mr. T.R. Babal Mr. Sunil Kumar
For Respondent(s)	:	Mr. Hanuman Prajapati, PP assisted by Mr. Omprakash Choudhary

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HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

06/08/2026

1. This application for bail under Section 483 BNSS has been filed by the petitioners, who have been arrested in connection with F.I.R. No.236/2026 registered at Police Station Pindwara, District Sirohi for the offence under Section 8/15 of NDPS Act.

2. Learned counsel for the petitioner contends that petitioners are innocent persons. They have falsely been implicated in this case. The allegedly recovered contraband substance (41 Kg 600 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 from the petitioners. No purpose is going to be served by keeping them behind bars. No case is pending against them under NDPS Act, however, against petitioner-Om Prakash there are four cases and against Hanuman Ram there is one case pending under IPC offences. The petitioners are behind bars since 14.06.2026 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; No case under NDPS Act is pending against them; conclusion of trial 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 application under Section 483 BNSS is allowed. It is ordered that the accused-petitioners **(1) Om Prakash S/o Kishan Ram Vishnoi Dhaka (2) Hanuman Ram S/o Shri Hema Ram Vishnoi Dhaka** arrested in connection with

aforesaid FIR, shall be released on bail, if 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

81/Sanjay Tanwar