

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

S.B. Criminal Miscellaneous Bail Application No. 10335/2026
CNR: RJHC010757502026 | URN: CRLMB / 22634U / 2026

Sita Ram Kaswa S/o Sh. Ram Kishan Kaswa, Aged About 24
Years, Behind Bhawan Sarvoday Basti, Ps Mukta Prasad Nagar,
Bikaner (Lodged In Central Jail Bikaner)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

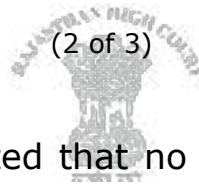
For Petitioner(s)	:	Mr. Harsh Shekhawat
For Respondent(s)	:	Mr. Hanuman Prajapati, PP assisted by Mr. Omprakash Choudhary

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU
Order

07/08/2026

This application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (BNSS) has been filed by the
petitioner, who has been arrested in connection with F.I.R.
No.81/2026 registered at Police Station Mukta Prasad Nagar,
District Bikaner, for the offences punishable under Sections 8/21
and 25 of the NDPS Act.

Learned counsel for the petitioner contends that the petitioner
is innocent and has been falsely implicated in the present case. It is
submitted that the alleged contraband, i.e. 07.20 Grams of Smack-
Heroin, is below the commercial quantity prescribed under the
NDPS Act and, therefore, the rigour of Section 37 of the NDPS Act
is not attracted. It is further submitted that the petitioner has no
criminal antecedents involving any offence of similar nature. The
alleged recovery has been effected from the conscious possession
of co-accused Wasim and nothing has been recovered from the



petitioner. It is also submitted that no offence under the NDPS Act or any other penal law is made out against the petitioner. The petitioner is in judicial custody since 08.06.2026 and the trial is likely to take considerable time. Learned counsel, therefore, prays that the petitioner may be enlarged on bail.

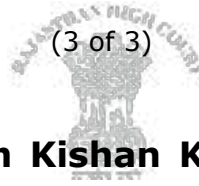
Per contra, learned Public Prosecutor has opposed the bail application; however, he is not in a position to refute the aforesaid submissions.

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

This Court has considered the arguments advanced by learned counsel for the petitioner and finds that the alleged recovery of 07.20 Grams of Smack-Heroin is below the commercial quantity prescribed under the NDPS Act. It is also submitted that there are no criminal antecedents of similar nature against the petitioner and that the alleged recovery has not been effected from his possession. The petitioner is in judicial custody since 08.06.2026.

Hence, keeping in view the overall facts and circumstances of the case; the fact that the conclusion of the trial is likely to take time; the alleged narcotic contraband being below commercial quantity; the fact that the alleged recovery has not been effected from the petitioner; and without expressing any opinion on the merits of the case, this Court deems it just and proper to grant bail to the petitioner under Section 483 of the BNSS.

Accordingly, this bail application filed under Section 483 of the BNSS is **allowed** and it is directed that petitioner, namely, **Sita**



Ram Kaswa S/o Sh. Ram Kishan Kaswa, shall be released on bail in connection with the aforesaid FIR, if not wanted in any other case, provided he executes a personal bond in the sum of Rs.1,00,000/- with two sound and solvent sureties of Rs.50,000/- each to the satisfaction of the learned trial Court, for his appearance before the learned trial Court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(BALJINDER SINGH SANDHU),J