HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 10297/2026
CNR: RJHC010781982026 | URN: CRLMB / 22559U / 2026

Jaswant S/o Shri Shankarlal, Aged About 26 Years, Resident Of Chak 99 R.d., Kheta Wali Dhani, Police Station Rawatsar, District Hanumangarh. (Presently Lodged In District Jail Bikaner)

----Petitioner

Versus

State Of Rajasthan, Through Public Prosecutor.

----Respondent

For Petitioner(s)	:	Mr. Siddarth Mewara
For Respondent(s)	:	Mr. Hanuman Prajapati, PP

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU
Order

06/08/2026

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

The petitioner has been arrested in connection with FIR No.72/2026 of Police Station Mahajan, District Bikaner, for the offences punishable under Sections 8/15, 29 and 30 of NDPS Act. He has preferred this bail application under Section 483 of BNSS.

Learned counsel for the petitioner submits that the alleged contraband, namely 1.849 kg of poppy straw, was not recovered from the petitioner. It is submitted that the said contraband was recovered from an open place, i.e., the roadside, and that the recovered quantity is below the commercial quantity. It is further submitted that the petitioner has been implicated in the case solely on the basis of the said recovery. It is also stated that the petitioner has no criminal antecedents under the NDPS Act. The petitioner has been in judicial custody since 23.07.2026, and the trial is likely to take a considerable time to conclude.

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

This Court has considered the arguments advanced by learned counsel for the petitioner and finds that the alleged contraband, namely 1.849 kg of poppy straw, was not recovered from the petitioner. The said contraband was recovered from an open place, i.e., the roadside, and the recovered quantity is below the commercial quantity. It appears that the petitioner has been implicated in the case on the basis of the said recovery. Further, the petitioner has no criminal antecedents under the NDPS Act and has been in judicial custody since 23.07.2026.

Hence, keeping in view of the fact that conclusion of the trial of the case is likely to take time. The recovered contrband is below commercial quantity and the prosecution has not shown any apprehension of the petitioner fleeing away from justice, in case he is enlarged on bail 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 BNSS.

Accordingly, this bail application filed under Section 483 of BNSS is **allowed** and it is directed that petitioner – **Jaswant S/o Shankar Lal,** shall be released on bail in connection with 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 learned trial court for his appearance before that 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

71/Jatin Kumar