HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 5840/2026
CNR: RJHC010418102026 | URN: CRLMB / 12989U / 2026

Chandmal Alias Chandu S/o Nanuram Ji, Aged About 35 Years, R/o Pind P.s Nikumbh District Chittorgarh (Raj.) (Presently Lodged In Distt. Jail Udaipur)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 3464/2026
CNR: RJHC010275552026 | URN: CRLMB / 7941U / 2026

Kuber Kumar Alias Kamlesh S/o Shri Valaram, Aged About 21 Years, Boriya Sihaad, Police Station Kheroda, District Udaipur (Raj.) (Presently Lodged In Central Jail Udaipur)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s)	:	Mr. Mangi Lal Vishnoi Mr. Ojas Shakdwipeeya
For Respondent(s)	:	Mr. H.S. Jodha, PP

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

10/08/2026

The present bail applications have been preferred by the petitioners under Section 483 of the BNSS in connection with FIR No.693/2025 registered at Police Station Pratapnagar (Udaipur), District Udaipur, for the offences punishable under Sections 8/21, 8/22 and 8/29 of the NDPS Act.

Learned counsel for the petitioners submits that, in the present case, the recovery of contraband comprises 224 strips containing 1792 capsules and 200 tablets of Tramadol; 164 strips containing 2,460 tablets of Alprazolam and 35 bottles containing 100 ml of Codeine Phosphate syrup i.e. 3.5 litres in total. He submits that the aforesaid quantities of Tramadol, Alprazolam and Codeine syrup are above the prescribed commercial quantity.He further submits that the alleged recovery was effected from the conscious possession of Prahlad Singh and Virendra Singh. It is stated that, during the course of investigation, they were arrested and disclosed the name of petitioner-Kamlesh Dangi @ Kuber. On the basis of the information furnished by them under Section 23(2) of the Evidence Act, it was stated that the contraband had been procured from petitioner-Kamlesh Dangi. Thereafter, petitioner-Kamlesh Dangi, while in custody, furnished information stating that the contraband had been purchased from petitioner-Chandmal @ Chandu Bawri.

It is stated that, apart from the information furnished by the co-accused under Section 23(2) of the Evidence Act, there is no other evidence on record connecting the petitioners with the alleged offence. It is further submitted that the charge-sheet does not reveal any call detail records or any other incriminating evidence to establish that the petitioners had sold the contraband to Prahlad Singh and Virendra Singh. Therefore, the conviction of the petitioners on the basis of such material is highly unlikely. It is also submitted that, after completion of investigation, the charge-sheet has already been filed. The petitioners have been behind

bars since 25.03.2026 and 25.12.2025, respectively. It is further stated that there is only one criminal case against each of the petitioners, in which the trial is pending, and neither of them has been convicted.

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

This Court has considered the arguments advanced by learned counsel for the petitioners and perused the material available on record. The contraband was recovered from the conscious possession of Prahlad Singh and Virendra Singh. Petitioner-Kamlesh has been roped in on the basis of their statements, and petitioner-Chandmal has further been roped in on the basis of the information furnished by petitioner-Kamlesh. Apart from the aforesaid material, the charge-sheet does not reveal any other incriminating evidence connecting the petitioners with the alleged offence. Even the learned Public Prosecutor has not been able to point out any such material.

Having regard to the material presently available on record, the absence of recovery from the conscious possession of the petitioners, the nature of the evidence collected during investigation, this Court is of the prima facie opinion that there are reasonable grounds for believing that the petitioners may not be guilty of the alleged offence. There is also nothing on record to indicate that, if released on bail, the petitioners are likely to commit any offence while on bail. Consequently, for the limited

purpose of deciding the present applications, the rigours contained in Section 37 of the NDPS Act stand satisfied.

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, and the absence of any apprehension expressed by the prosecution that the petitioners may flee from justice if 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 petitioners under Section 483 of the BNSS.

Accordingly, these bail applications filed under Section 483 of the BNSS are **allowed**. It is directed that the petitioners, namely, **Chandmal @ Chandu S/o Nanuram Ji** and **Kuber Kumar @ Kamlesh S/o Shri Valaram**, shall be released on bail in connection with the aforesaid FIR, if not wanted in any other case, provided each of them executes a personal bond in the sum of Rs.1,00,000/- with two sound and solvent sureties in the sum of Rs.50,000/- each to the satisfaction of the learned trial Court, for their appearance before that Court on each and every date of hearing and whenever called upon to do so, till the completion of the trial.

It is, however, made clear that the observations made herein are only for the purpose of deciding the present bail applications and shall not be construed as an expression of opinion on the merits of the case. The learned trial Court shall decide the matter independently, uninfluenced by any observations contained in this order.

(BALJINDER SINGH SANDHU),J

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