
Sanjay Kumar And Others Vs State Of Rajasthan

Criminal Miscellaneous Bail Application No. 6979 Of 2023

Court: Rajasthan High Court

Date of Decision: June 16, 2023

Acts Referred:

Narcotic Drugs And Psychotropic Substances Act, 1985 " Section 8, 15, 25#Code Of Criminal Procedure, 1973 " Section 439

Hon'ble Judges: Madan Gopal Vyas, J

Bench: Single Bench

Advocate: S.R. Godara, Mahipal Bishnoi

Final Decision: Allowed

Judgement

Madan Gopal Vyas, J

1. The petitioners have been arrested in connection with FIR No.144/2023 of Police Station Jetsar, District Sri Ganganagar for the offences

punishable under Section 8/15, 25 of the NDPS Act. They have preferred this bail application under Section 439 Cr.P.C.

2. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case. It is further submitted that recovered

contraband is below commercial quantity. The accused-petitioners are in judicial custody since long and the trial of the case will take long time.

Therefore, it is prayed that the accused-petitioners may be enlarged on bail.

3. Learned Public Prosecutor has vehemently opposed the bail application and submitted that accused-petitioners are habitual offenders.

4. Having regard to the totality of the facts and circumstances of the case, without expressing any opinion on the merits of the case, I deem it just and

proper to grant bail to the accused petitioners under Section 439 Cr.P.C.

5. Accordingly, the bail application filed under Sec.439 Cr.P.C. is allowed and it is directed that petitioners (1) Sanjay Kumar S/o Sh. Gopi Chand &

(2) Sunil Kumar S/o Sh. Modu Ram shall be released on bail in connection with FIR No.144/2023 of Police Station Jetsar, District Sri Ganganagar

provided each of them executes a personal bond in a 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 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. The petitioners are further directed not to take undue advantage of liberty or misuse liberty.