

(2024) 05 RAJ CK 0083

In the Rajasthan High Court

Case No : Criminal Miscellaneous Bail Application No. 6108 Of 2024

Jitendra @ Jitu

APPELLANT

Vs

State Of Rajasthan

RESPONDENT

Date of Decision : 17-05-2024

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 439

Narcotic Drugs And Psychotropic Substances Act, 1985 — Section 8, 15, 29

Citation : (2024) 05 RAJ CK 0083

Hon'ble Judges : Manoj Kumar Garg, J

Bench : Single Bench

Advocate : Vijay Kumar Gaur, Anita Gehlot

Final Decision : Allowed

Judgement

Manoj Kumar Garg, J

Heard learned counsel for the petitioner as well as learned Public Prosecutor and also perused the material available on record.

The petitioner has been arrested in connection with FIR No.43/2018 of Police Station Arnod, District Pratapgarh for offence under Sections 8/15 & 29 of NDPS Act. He has preferred this bail application under Section 439 Cr.P.C.

Counsel for the petitioner submits that earlier bail was granted to the petitioner but he jumped the bail. Now the petitioner is in judicial custody since 25.03.2024. It is also submitted that the recovered contraband is below commercial quantity. Counsel further assures this Court that in future, the petitioner will remain present on each and every date before the trial court and if he again jumps the bail then the indulgence of bail may not be extended to the petitioner.

Learned Public Prosecutor has opposed the bail application.

Looking to the facts and circumstances of the case, I deem it just and proper to

grant one more opportunity to the petitioner subject to the condition that he will appear before the trial court on each and every date, failing which Public Prosecutor may file application for cancellation of bail.

Accordingly, the bail application filed under Sec.439 Cr.P.C. is allowed and it is directed that petitioner Jitendra @ Jitu S/o Shri Jagdish shall be released on bail in connection with FIR No.43/2018 of Police Station Arnod, District Pratapgarh provided he executes a personal bond in a sum of Rs.2,00,000/- with two sound and solvent sureties of Rs.1,00,000/- 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.