

(2022) 05 RAJ CK 0037

In the Rajasthan High Court

Case No : S.B. Criminal Miscellaneous Bail Application No. 1097, 2573 Of 2022

Vishnu Singh And Others

APPELLANT

Vs

Union Of India

RESPONDENT

Date of Decision : 10-05-2022

Acts Referred:

Narcotic Drugs And Psychotropic Substances Act, 1985 — Section 8, 22, 29
Code Of Criminal Procedure, 1973 — Section 439

Citation : (2022) 05 RAJ CK 0037

Hon'ble Judges : Manoj Kumar Garg, J

Bench : Single Bench

Advocate : Varun Arora, B. Ray Bishnoi, Pareek

Final Decision : Allowed

Judgement

Manoj Kumar Garg, J

The petitioners has been arrested in connection with FIR No. VIII(IO)02/NCB/ASZ/2021 of Police Station NCB Ajmer, for the offence punishable under Sections 8/22 & 29 of NDPS Act. They have preferred these bail applications under Section 439 Cr.P.C.

Learned counsels for the petitioners submit that similarly situated co-accused Mahiram @ Mahi Ram and Shivjagat Saraswat have already been granted bail by the Co-ordinate Bench of this Court and the case of present petitioners are similar to that of co-accused. Counsel further submits that no recovery was made from the possession of the accused-petitioners and petitioners were implicated with the aid of Section 8/29 of NDPS Act. Challan of the case has already been presented. The accused-petitioners are in judicial custody and the trial of the case will take sufficient long time to be concluded. Therefore, the benefit of bail should be granted to the accused-petitioners.

Learned counsel for NCB has opposed these bail applications. 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.

Accordingly, these bail applications filed under Sec.439 Cr.P.C. are allowed and it is directed that petitioners (1) Vishnu Singh S/o Sh. Babu Singh and (2) Vinod Choudhary S/o Moti Ram, shall be released on bail in connection with FIR No.VIII(IO)02/NCB/ASZ/2021 of Police Station NCB Ajmer, provided they execute a personal bond in a sum of Rs.1,00,000/-each 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.