



**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Criminal Miscellaneous Bail Application No. 14773/2020

Radheshyam Sharma S/o Sh. Magan Lal Sharma, Aged About 57
Years, R/o Dhamniya, P.s. Kachhola, Dist. Bhilwara. (At Present
Lodged In District Jail, Bhilwara).

-----Petitioner

Versus

State, Through Pp

-----Respondent

For Petitioner(s) : Mr. N.K. Gurjar
For Respondent(s) : Mr. S.K. Bhati, PP

HON'BLE MR. JUSTICE VINIT KUMAR MATHUR

Order

11/01/2021

The present bail application has been filed under Section 439
Cr.P.C. on behalf of the petitioner who is in custody in connection
with FIR No. 125/2020 of Police Station Kacchola, District
Bhilwara, for the offences under Sections 8/20 NDPS Act.

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

Counsel for the petitioner submits that 220 plants of Ganja
weighing 99 Kg. 200 gm had been recovered from the present
petitioner which are stated to be below commercial quantity. He
further submits that Section 37 of the NDPS Act is not applicable
and therefore, it is prayed that the petitioner may be enlarged on
bail.

Learned Public Prosecutor has opposed the bail application.



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 petitioner under Section 439 Cr.P.C.

Accordingly, this bail application filed under Section 439 Cr.P.C. is allowed and it is directed that the petitioner **Radheshyam Sharma S/o Sh. Magan Lal Sharma** shall be released on bail in connection with FIR No. 125/2020 of Police Station Kacchola, District Bhilwara provided he executes a personal bond in a sum of Rs.1,00,000/- (Rupees: One Lac Only) with two sound and solvent sureties of Rs.50,000/- (Rupees: Fifty Thousand Only) each to the satisfaction of the 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.

(VINIT KUMAR MATHUR),J

35-praveen/-

