

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 2267/2024

Mehboob Khan S/o Sattar Khan, Aged About 35 Years, R/o Kasti
Thana Khedapa Dist Jodhpur
(At Present Lodged In Dist Jail, Chittorgarh)

-----Petitioner

Versus

State Of Rajasthan, Through PP

-----Respondent

For Petitioner(s)	:	Mr. R.D. Bhadu
For Respondent(s)	:	Mr. Mahipal Bishnoi, PP

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

30/07/2024

1. Learned counsel for petitioner submitted that the petitioner is suffering from moderate to severe level of Anxiety Depressive Disorder, which requires continuous psychiatric treatment and rehabilitation and he is currently being treated at Department of Psychiatry, District Hospital, Chittorgarh.
2. In this regard, learned counsel has placed various medical documents on record. It is therefore, prayed that the petitioner may be released on interim bail for a period of a month.
3. Learned Public Prosecutor has not disputed the factum of ailment of petitioner. A copy of factual report dated 29.07.2024 received from the office of the Superintendent, District Jail Chittorgarh in regard to illness of petitioner was tendered in the Court which has also been taken on record.
4. Looking to the totality of facts and circumstances of the case, a humanitarian approach is required to be adopted, thus, this Court deems it just and proper to grant 20 days' interim bail to the present accused-petitioner.

5. Accordingly, the interim bail application filed under Section 439 Cr.P.C. is allowed and it is directed that petitioner **Mehboob Khan S/o Sattar Khan** arrested in connection with F.I.R. No.244/2022, registered at Police Station Sadar Chittorgarh, District Chittorgarh, for the offence under Sections 8/15 of the NDPS Act, be released on interim bail for a period of **20 (twenty) days**, subject to the condition that he shall deposit a sum of **Rs.5,00,000/-** before the trial court and provided he furnishes a personal bond in a sum of **Rs.4,00,000/-** with two sound and solvent sureties in the sum of **Rs.2,00,000/- (out of which one surety will be a close relative of the petitioner)** each to the satisfaction of learned trial court for his surrender on completion of twenty days from the date of actual release.

6. If the petitioner surrenders within the stipulated period before the concerned Jail, then the amount of Rs.5,00,000/- so deposited before the trial court shall be refunded back to him whereas if the petitioner fails to surrender within the stipulated period, then the amount so deposited shall be forfeited immediately.

7. Let this bail application be again listed on 20.08.2024. Learned Public Prosecutor shall be required to submit the compliance report of the order as to whether the petitioner has surrendered or not.

(KULDEEP MATHUR),J