

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

S.B. Criminal Miscellaneous Bail Application No. 1889/2026

Habib Khan S/o Gagan Khan, Aged About 25 Years, R/o Charni
P.s. Jamba District Phalodi (Presently Lodged In Sub Jail
Pokaran)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Abdul Kadir
For Respondent(s)	:	Mr. Urja Ram Kalbi, PP

HON'BLE MR. JUSTICE PRAMIL KUMAR MATHUR

Order

11/02/2026

1. The petitioner has filed this bail application under Section 483 of BNSS in FIR No.143/2024 registered at Police Station Sankada, District Jaisalmer for offence under Sections 126(2), 115(2), 140(3), 109(1), 117(2), 3(5) of BNS.
2. Heard learned counsel for the petitioner as well as learned Public Prosecutor and perused the material available on record.
3. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. He further submits that no specific act has been attributed to the petitioner and in the FIR, only omnibus allegations has been levelled against all the accused. Person named in the FIR i.e. Mushtaq has been granted benefit of bail on 18.12.2025 and other co-accused namely Imran and Barkat Khan also got the benefit of bail by a Coordinate Bench of this Court on 02.05.2025. He further argued that the case of petitioner is on similar footing to the co-accused who have been

granted bail. He again submits that the petitioner is behind the bars since 26.01.2026 without any criminal past and charge-sheet has been filed. The trial of the case may take considerable time and no further custodial interrogation is required, hence on the ground of parity, the bail application of the petitioner may be allowed.

4. Learned Public Prosecutor has vehemently opposed the bail application.

5. On consideration of the rival submissions and material available on record and in the light of submission made by learned counsel for the petitioner especially on the ground of parity, but without expressing any opinion on merits/demerits of the case, I am inclined to grant benefit of bail to the petitioner.

6. Consequently, the bail application under Section 483 B.N.S.S. is allowed and it is directed that the petitioner **Habib Khan S/o Gagan Khan**, be released on bail provided he furnishes a personal bond in the sum of Rs.50,000/- with two sureties in the sum of Rs.25,000/- each to the satisfaction of the learned trial court with the stipulation that he shall appear before that Court on all subsequent dates of hearing till conclusion of the trial.

(PRAMIL KUMAR MATHUR),J