

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

S.B. Criminal Writ Petition No. 1269/2025

Rahul Modi S/o Late Virendra Modi, Aged About 38 Years, R/o
Adarsh Nagar Sirohi, Raj

-----Petitioner

Versus

1. State Of Rajasthan, Through PP
2. The Registrar Of Cooperative, Nehru Sahkar Bhawan,
Bhawani Singh Road, Jaipur Raj

-----Respondents

For Petitioner(s)	:	Mr. Manish Sisodia, Sr. Adv. assisted by Mr. Gaurav Kansara and Mr. Raghu Raj Sharma
For Respondent(s)	:	Mr. Narendra Singh Chandawat, PP

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

19/08/2025

1. The present criminal writ petition has been filed by the petitioner under Articles 226 of the Constitution of India R/w Section 528 BNSS (Section 482 Cr.P.C.) seeking interim bail on the ground of knee replacement surgery of both legs of petitioner's mother.
2. Learned Senior counsel for the petitioner submits that the petitioner seeks interim bail on medical grounds of his 58-year-old mother, who requires surgery for a knee replacement as advised by her doctor. It is stated that the petitioner is the only family member available to take care for her. She is unable to undergo the surgery without the support of an attendant or family member.

In support of his contentions, learned counsel has placed reliance on the prescription of Vasundhara Hospital Limited, Jodhpur.

3. Briefly speaking, the relevant facts are that petitioner has been languishing in jail since 10.12.2018. His mother is having serious medical issues related to her knee. Doctor has advised her to undergo immediate surgery. The petitioner and his brother are in judicial custody. There is no-one else to look-after her.

3.1 The petitioner's mother has been recently advised to undergo knee replacement, whereas both her sons are currently incarcerated and in absence of any of them, her condition will worsen without timely treatment. Hence, this petition.

4. In pursuance of the order dated 14.08.2025 passed by this Court, today, the learned Public Prosecutor has submitted a report dated 18.08.2025 received from Police Station Kotwali, District Sirohi, in which it has been mentioned that the petitioner's mother is in requirement of a knee replacement surgery of both legs.

5. After consideration of the entire facts and circumstances of the case as well as careful perusal of the material available on record, this Court deems it appropriate to release the petitioner on interim bail of 60 days.

6. Accordingly, present criminal writ petition is allowed and the petitioner, as mentioned in the title, is ordered to be released on interim bail, subject to the condition that the petitioner shall furnish a personal bond of **Rs. 3,00,000/-** and two sureties of **Rs.2,00,000/- (one of whom shall be a close family member of the petitioner)** each to the satisfaction of Superintendent of Central Jail, Jodhpur for his surrender on

completion of **60 days** from the date of actual release. However, the Jail Authorities are directed to mention date and time of release and surrender in the release order, at the time of release. During this period, he shall remain within the territorial jurisdiction and in the event that he needs to seek medical advice outside the territory, he shall obtain prior written permission from the Superintendent of Jail.

7. It is made clear that the instant order shall be applicable qua all the FIRs, the recital of which has been given in the present petition.

8. List the matter on 28.10.2025. On that date, the learned Public Prosecutor is directed to procure and file the compliance report regarding the surrender of the petitioner.

(MUKESH RAJPUROHIT),J