

**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. Dinesh Kumar Godara Mr. Kuldeep Rajpurohit Mr. G.K. Chhangani
For Respondent(s)	:	Mr. Surendra Bishnoi, PP

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

16/12/2025

1. The matter comes up on an application filed under Article 226 of the Constitution of India read with Section 528 of BNSS (IA No.03/2025) on behalf of the petitioner seeking extension of the interim/temporary bail granted by this Court vide order dated 19.08.2025 and extended vide order dated 17.10.2025 passed in S.B. Criminal Writ Petition No. 1269/2025, on the ground of the petitioner's mother's post operative care after the spinal surgery, and has, therefore, prayed for extension of temporary bail for a period of 90 days for the said purpose.
2. Heard learned counsel for the petitioner and the learned Public Prosecutor.
3. Learned counsel for the petitioner submits that earlier the petitioner was granted interim bail for a period of 60 days for knee

replacement of his mother. However, due to certain complications, the doctor advised that after the spinal surgery, the surgery of knee replacement can take place. Thereafter vide order dated 17.10.2025, petitioner's interim bail was extended for a further period of 60 days. As per the medical certificate dated 29.11.2025, issued by the Dr. Parth A. Trivedi, D'Ortho DNB Ortho, Om Orthocare Hospital, the spinal surgery of petitioner's mother has already been done and she has been discharged on 01.12.2025 and now she requires post operative care. Learned counsel for the petitioner submits that petitioner is the only person and the sole caretaker available to provide due care and assistance to his mother, who has undergone major surgery and therefore, the period of interim bail may be extended for a further period of 90 days for post operative care.

4. Vide order dated 10.12.2025, passed by this Court, the learned Public Prosecutor was directed to procure the medical report of the petitioner's mother. Today, the learned Public Prosecutor has produced the report dated 11.12.2025, sent by the SHO, P.S. Kotwali, Sirohi along with medical report, which reflects that spinal surgery of petitioner's mother has been done and she requires post operative care. The said report is taken on record.

5. Learned Public Prosecutor has opposed the prayer for grant of temporary/interim bail; however, he is not in a position to dispute the fact that the petitioner's mother has undergone spinal surgery and is now required post operative care.

6. After considering the overall facts and circumstances of the case and upon careful perusal of the material available on record,

more specifically the certificate dated 29.11.2025, issued by Dr. Parth A. Trivedi, D'Ortho DNB Ortho, Om Orthocare Hospital, this Court deems it appropriate to extend the interim bail/temporary bail of the petitioner for a further period of 90 days.

7. In this background and for humanitarian grounds and there being no legal impediment to extend the period of interim bail/temporary, the instant application is allowed and the period of interim bail already granted to the convict-petitioner **Rahul Modi S/o Late Virendra Modi**, by this Court, vide order *ibid*, is hereby extended for further 90 days on the same conditions/directions and the bail bonds furnished by him in terms of the order dated 19.08.2025 passed in S.B. Criminal Writ Petition No.1269/2025.

8. Learned Public Prosecutor is directed to procure the status report/case diary/factual report with regard to the surrender of the petitioner before the Jail Authorities by the next date of hearing.

9. List the matter on 18.03.2026.

(MUKESH RAJPUROHIT),J