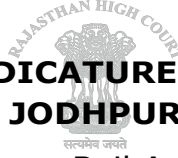




**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**



S.B. Criminal Miscellaneous Bail Application No. 5906/2026

Saddam Mohammad S/o Rafiq Mohammad, Aged About 31 Years, Resident Of Pithalwadi Kala, Police Station Chhoti Sadari, District Pratapgarh. (At Present Lodged In District Jail Pratapgarh)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Vijay Kumar Gaur
For Respondent(s)	:	Mr. Urja Ram Kalbi, PP

HON'BLE MR. JUSTICE SANDEEP SHAH (VACATION JUDGE)

Order

09/06/2026

1. The applicant has filed the present bail application under Section 483 being aggrieved against the order dated 24.04.2026 passed by the learned Additional Sessions Judge, Chhoti Sadri, District Pratapgrah, in Criminal Misc. Bail Case No.63/2026, (Saddam Mohammad v. State of Rajasthan), whereby the bail application filed by the accused-applicant under Section 483 B.N.S.S. was rejected. The accused-applicant is behind the bars, pursuant to the F.I.R. No.177/2025 registered at Police Station Chhotisadri, District Pratapgarh against the accused-applicant for offence punishable under Section 303(2) of BNS.

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



3. Learned counsel for the accused-applicant submits that the only allegation against the accused-applicant pertains to the theft/robbery of motors and certain cables from the complainant's well. He submits that similarly situated co-accused, namely, *Lala @ Lal Mohd and Rajak Mohd*, have already been enlarged on bail by this Court vide orders dated 16.12.2025 and 01.05.2026 passed in S.B. Criminal Miscellaneous Bail Application No.13979/2025 and S.B. Criminal Miscellaneous Bail Application No.5466/2026, respectively. He also submits that the accused-applicant has remained in custody since long. He further submits that no recovery has been effected from his possession. He, therefore, implores this Court to allow the present Criminal Miscellaneous Bail Application.

4. *Per contra*, learned Public Prosecutor opposes the bail application. However, he is not in a position to dispute the fact that the similarly situated co-accused, namely, *Lala @ Lal Mohd and Rajak Mohd*, have already been enlarged on bail by this Court.

5. Having considered the arguments advanced by learned counsel for the parties and having regard to the facts and circumstances of the case, particularly the fact that the similarly situated co-accused have already been enlarged on bail, as also considering the nature of the allegations levelled against the accused-applicant, the absence of any recovery from his possession, and the fact that he has remained in custody since long, this Court *prima facie* finds it a fit case to enlarge the accused-applicant on bail application.



6. Thus, without expressing any opinion on merits/demerits of the case, this Court is inclined to enlarge the accused-applicant on bail.

7. Consequently, the bail application under Section 483 B.N.S.S. is **allowed**. It is ordered that the accused-applicant; ***Saddam Mohammad S/o Rafiq Mohammad***, arrested in connection with F.I.R. No.177/2025, shall be released on bail, if not wanted in any other case, provided he furnishes a personal bond of Rs.50,000/- and two sureties of Rs.25,000/- each, to the satisfaction of learned trial court, for his appearance before that court on each & every date of hearing and whenever called upon to do so till completion of the trial.

8. It is further, made clear that findings recorded/observations made herein-above are for limited purposes of adjudication of bail application and the same shall not prejudice the trial of the case in any manner.

(SANDEEP SHAH),VJ