

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

S.B. Criminal Writ Petition No. 2163/2025

Sandeep Gupta S/o Vijendra Gupta, Aged About 41 Years,
Resident Of Palla Tharia Nuh District Mevat Haryana Presently
Residing At E 61 India Bulls Enigma Dwarka Expressway New
Palam Vihar Gurgaon 122001
(presently Lodged In Sub Jail Jaitaran)

-----Petitioner

Versus

1. State Of Rajasthan, Through Public Prosecutor
2. Superintendent Of Jail, Central Jail Jaitaran District Pali

-----Respondents

For Petitioner(s)	:	Mr. Sanjeev Johari, Sr. Advocate assisted by Mr. Shubhankar Johari
For Respondent(s)	:	Mr. Prem Singh Panwar, PP

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

03/09/2025

1. This petition has been filed under Article 226 of the Constitution of India read with Section 528 of the BNSS seeking interim bail on the ground of treatment of petitioner's wife.
2. The petitioner before this Court is under incarceration since 08.08.2024. It transpires that the petitioner is in judicial custody as an accused/under-trial in multiple FIRs instituted against him, particulars of which are given in para No.2 of the petition. In all the FIRs, the petitioner is accused of stealthily taking away the crude-oil supplies of Indian Oil Corporation by pilferage from the oil pipe-line.
3. It is contended by Mr. Sanjeev Johari, learned Senior Counsel assisted by Mr. Shubhankar Johari, learned counsel for

the petitioner that the wife of the petitioner is seriously ailing as she is suffering from the disorder in spinal cord L-4 and L-5 and there is no one else except the petitioner to take care of her and, therefore, he is obligated to provide her medical assistance.

4. This Court vide orders dated 06.08.2025, 18.08.2025 and 27.08.2025 directed the learned Public Prosecutor to procure the medical report in respect of ailment of petitioner's wife by the next date of hearing.

5. Today, the learned Public Prosecutor has filed the report dated 28.08.2025 along with medical report. The same is taken on record.

6. As per the report, petitioner's wife is suffering from the disorder in spinal cord L-4 and L-5 and as per her statement, there is no other person to take care of her and the petitioner is only male person in their family to look after her.

7. Learned Public Prosecutor vehemently opposed the petition but he is not in a position to refute the fact that the petitioner's wife urgently requires treatment.

8. As per the record, earlier the petitioner has availed the temporary bail vide order dated 28.11.2024, passed in S.B. Criminal Writ Petition No.2552/2024 and the order dated 05.03.2025, passed in S.B. Criminal Writ Petition No.607/2025 and the petitioner surrendered after availing the interim bails within the stipulated period.

9. In these circumstances, the instant petition is allowed. The petitioner is directed to be released on interim bail for a period of 20 days subject to furnishing a personal bail bond of **Rs.5 lakhs** along with two sureties of equivalent amount (**out of which one**

surety shall be his close family member) to the satisfaction of the concerned Jail Superintendent.

10. It is made clear that the instant order shall be applicable qua all the FIRs wherever it is registered against the petitioner, the recital of which has been given in the present petition. Furthermore, the Superintendent, concerned Jail shall not insist on the insolvency certificate as a part of the condition in the bail bond.

11. The date of release and surrender shall be mentioned on the release order. It is directed that petitioner shall surrender before 5.00 p.m. on the date of surrender, within 20 days from his actual release.

12. Learned Public Prosecutor is directed to file report regarding surrender of the accused after availing the interim bail for a period of 20 days by the next date of hearing.

13. List this matter on 26.09.2025.

(MUKESH RAJPUROHIT),J