

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

S.B. Criminal Miscellaneous Bail Application No. 14897/2025

Sagarmal S/o Nathulal Gurjar, Aged About 46 Years, Resident Of
Barsing Ka Guda, Police Station Bijaypur, District Chittorgarh Raj.
(.at Present Lodged In District Jail Chittorgarh)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Aslam Khan
For Respondent(s)	:	Mr. Sriram Choudhary, PP

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

11/12/2025

1. This application for interim bail has been filed by the petitioner under Section 483 of BNSS (old Section 439 of Cr.P.C.) in connection with FIR No. 57/2024 dated 13.06.2024, Police Station Vijaypur, Chittorgarh, for the offences under Sections 8 and 18 of the NDPS Act.
2. Learned counsel for the petitioner submits that petitioner's wife namely Phuli Bai is suffering from heart disease and requires urgent surgery. He referred to the medical prescription issued by the District Hospital, Neemuch wherein, the Doctor has referred the case of the petitioner's wife to higher center and has recommended for urgent FCI/CABG operation to be conducted as soon as possible. There is no other male member in the family to look after his wife. Therefore, petitioner may be granted interim bail for a period of 30 days.

3. Learned Public Prosecutor vehemently opposes this application for interim bail, however he is not in a position to controvert the fact that there is no other adult male member in the family to attend the petitioner's wife during and after the operation so also the fact that urgent surgery is required as petitioner's wife is suffering from Coronary Artery disease.

4. This Court sought medical report for the treatment required to the petitioner's wife on 04.12.2025, in compliance whereof, a report dated 06.12.2025 is submitted before this Court.

5. On perusal of the report prepared by the SHO, Police Station, Vijapur, District Chittorgarh, it reveals that the petitioner is residing separately from his brothers and in his family, his wife and two minor children are residing. It is also stated that the financial condition of the petitioner is also very poor. Doctor Hariom Ladda, Chief Medical Officer, Sub-District Hospital, Bassi, District Chittorgarh, has also endorsed the fact that the petitioner's wife is suffering from Coronary Artery disease with anemia and is on the treatment for the same.

6. Heard learned counsel for the appellant and learned Public Prosecutor and perused the material available on record.

8. Considering the submissions made above and the report dated 06.12.2025 so also the fact that petitioner's wife is suffering from Coronary Artery disease with anemia and there is no adult male member in the family to take care of her, this Court deems it just and proper to grant interim bail to the petitioner for a period of 30 days.

9. Accordingly, this application for interim bail filed under Section 483 of BNSS is allowed. It is ordered that petitioner-

Sagarmal S/o Nathulal Gurjar, shall be released on bail for a period of 30 days from 12.12.2025 in connection with the aforesaid FIR; provided he furnishes a personal bond in the sum of Rs.1,00,000/- with two sound and solvent sureties of Rs.50,000/- each to the satisfaction of learned trial Court for his surrender on completion of 30 days from the date of release.

10. Let this bail application be again listed on 14.01.2026 Learned Public Prosecutor shall be required to submit the compliance report of the order as to whether the petitioner has surrendered or not.

(SUNIL BENIWAL),J

138-ajayS/-