

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 15739/2025

1. Islamuddin S/o Shri Rafiq Mohammed, Aged About 32 Years, R/o Heeraman Ji Kabe Ka Chowk, P.S. Kotwali, Bundi (Rajasthan)
2. Nazim Hussain S/o Shri Rafiq Mohammed, Aged About 34 Years, R/o Heeraman Ji Kabe Ka Chowk, P.S. Kotwali, Bundi (Rajasthan)
3. Nasir Hussain S/o Shri Rafiq Mohammed, Aged About 40 Years, R/o Heeraman Ji Kabe Ka Chowk, P.S. Kotwali, Bundi (Rajasthan)
4. Shanno @ Ajsa Naaz W/o Jakir Hussain, Aged About 40 Years, R/o Heeraman Ji Kabe Ka Chowk, P.S. Kotwali, Bundi (Rajasthan)

----Petitioners

Versus

State of Rajasthan, the PP

----Respondent

For Petitioner(s)	:	Mr.Carn Bhatnagar
For Respondent(s)	:	Mr.Vivek Choudhary, PP Mr.Awadhesh, S.I. (I.O.) P/S Kotwali, Bundi Mr.Anurag Pareek for Mr.Deepak Pareek

JUSTICE ANOOP KUMAR DHAND

Order

24/03/2026

1. Learned counsel for the petitioners submits that the validity of the impugned F.I.R. was assailed by the petitioners by way of filing the three misc. petitions, i.e., S.B. Criminal Misc. (Petition) Nos.4031/2023, 3059/2023 & 3694/2024, wherein the interim order dated 26.05.2023 was passed by the Co-ordinate Bench of this Court in favour of the petitioner-Islamuddin in his Criminal

Miscellaneous Petition No.3059/2023, whereby the investigating agency was directed not to take any coercive steps against the petitioners with the condition that the petitioners would fully cooperate with the investigation.

2. Learned counsel submits that when the matter was finally heard by this Court vide order dated 14.11.2025, all the petitions were dismissed only on the ground that as per the factual report furnished by the S.H.O. of Police Station Kotwali, Bundi, the investigation was completed, but the charge-sheet could not be submitted because of the interim order passed by the co-ordinate bench of this Court. Counsel submits that the interim order remained in picture for a period of around three years, the custodial investigation of the petitioners is not required after taking them in custody. Counsel submits that even otherwise also, no case is made out against the petitioners, and that the story concocted by the prosecution is highly improbable as to why the petitioners would abet the deceased to commit suicide for a petty amount of Rs.30,000/-. Hence, indulgence of anticipatory bail be granted to the petitioners.

3. *Per contra*, learned Public Prosecutor as well as learned counsel appearing on behalf of the complainant opposed the arguments raised by the counsel for the petitioner and submitted that as per the allegations levelled against the petitioners in the F.I.R., all the petitioners abducted the deceased and forcefully took him to their residence and raised demand to return the borrowed amount. Counsel further submits that the deceased was beaten by the accused persons and the deceased has committed

suicide after taking poison at their residence and died under unnatural circumstances. Counsel submits that looking to the gravity of the matter, the petitioners do not deserve any indulgence of anticipatory bail, hence, their application is liable to be rejected.

4. Heard and considered the submissions made at the Bar and perused the material available on record.

5. Considering the arguments put forward by learned Public Prosecutor as well as counsel appearing on behalf of the complainant and the gravity of the allegations levelled against the petitioner, this Court is not inclined to accept the bail application submitted by the petitioners, hence, the same is hereby rejected.

6. However, the petitioners are at liberty to surrender and in case, they surrender before the concerned Court, it is expected from the concerned Court to decide their regular bail application expeditiously as early as possible, strictly in accordance with law.

(ANOOP KUMAR DHAND),J