HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S. B. Criminal Misc. 2nd Bail Application No. 1886/2020

Mushir Ahemad S/o Dr. Ahemdulla, aged about 44 years, By caste Musalman, R/o Village Rudholi, District Basti, Uttar Preadesh, Presently residing at Dr. Ramzan's House, Bagar Chowk, P.S. Sadar Kotwali, Jodhpur (Raj.).

(Presently lodged in Central Jail, Jodhpur).

----Petitioner

Versus

State of Rajasthan

----Respondent

For Petitioner(s) : Mr. Dinesh K. Godara
For Respondent(s) : Mr. Shiv Kumar Bhati, P.P.

HON'BLE MR. JUSTICE VINIT KUMAR MATHUR

Order

10/02/2020

The present second bail application has been filed under Section 439 of Cr.P.C. on behalf of the petitioner who is in custody in connection with F.I.R. No. 172/2019, Police Station Sadar Kotwali, District Jodhpur for the offences punishable under Sections 269, 270 & 420 of I.P.C. and Section 15(2) & 15(3) of the Indian Medical Council Act, 1965.

Heard learned counsel for the petitioner and learned Public Prosecutor. Perused the material available on record.

Learned counsel for the petitioner submits that after rejection of the first bail application of the petitioner by this Court vide Order dated 09.01.2020, the charge-sheet in the present case has been filed. He further submits that the conclusion of trial will take sufficient long time and therefore, it is prayed that the

petitioner may be enlarged on bail.

Learned Public Prosecutor opposes the bail application.

Having regard to the facts and circumstances of the case and upon a consideration of the arguments advanced, this Court is of the opinion that the petitioner is entitled for grant of bail under Section 439 of Cr.P.C.

Consequently, the present second bail application under Section 439 of Cr.P.C. is allowed. It is ordered that the accused-petitioner - **Mushir Ahemad S/o Dr. Ahemdulla** arrested in connection with F.I.R. No. 172/2019, Police Station Sadar Kotwali, District Jodhpur shall be released on bail provided he furnishes a personal bond of Rs.50,000/- (Rupees: Fifty Thousand Only) with two sureties of Rs.25,000/- (Rupees: Twenty Five Thousand Only) each to the satisfaction of the learned trial court with the stipulation to appear before that Court on all dates of hearing and as and when called upon to do so.

(VINIT KUMAR MATHUR),J

70-Inder/-

RAJASTHAN HIGH COURT
सत्यमेव जयते