

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Criminal Miscellaneous Bail Application No. 6360/2021

Mohammad Mustaq Khan S/o Allarakha, Aged About 40 Years, R/o Rasulpura Tehsil Malar nadungar Dist. Sawai Madhopur

----Petitioner

Versus

State Of Rajasthan, Through PP

----Respondent

For Petitioner(s) : Mr. Jiya Ur Rahman, through VC

For Respondent(s) : Mr. Riyasat Ali, PP

HON'BLE MR. JUSTICE CHANDRA KUMAR SONGARA

Order

30/04/2021

This anticipatory bail application has been filed under Section 438 Cr.P.C. in connection with FIR No. 90/2021 registered at Police Station Todaraisingh, District Tonk for the offences under Sections 379 and 188 of I.P.C. and Section 4/21 of MMDR Act (in order 188 and 379 IPC and Section 4/21 of MMDR Act.

Learned counsel for the petitioner submits that the petitioner has not been named in the FIR. Petitioner is a registered owner of alleged vehicle. There are no criminal antecedents against the petitioner. Hence, the petitioner may be released on bail.

On the other hand, learned Public Prosecutor has opposed the bail application.

Taking into consideration the submissions made by the learned counsel for the petitioner and looking to the facts and

circumstances of the case but without expressing any opinion on the merits and demerits of the case, I deem it just and proper to enlarge the petitioner on anticipatory bail.

Accordingly, this anticipatory bail application is allowed and it is ordered that in case of arrest of the petitioner Mohammad Mustaq Khan S/o Allarakha in the aforesaid FIR by the investigation officer, he shall be released on bail provided he furnishes a personal bond in the sum of Rs.50,000/- together with two sureties in the sum of Rs 25,000/- each to the satisfaction of concerned SHO/IO on the following conditions:

- i) That the petitioner will make himself available for the investigation as and when required by the investigation officer.
- ii) That the petitioner will not leave India without permission of the Court.
- iii) That the petitioner will not temper with the evidence or threaten or pressurize the witnesses in the case.

(CHANDRA KUMAR SONGARA),J

AARZOO ARORA /44

सत्यमेव जयते