
(2022) 06 RAJ CK 0065

In the Rajasthan High Court

Case No : S.B. Criminal Miscellaneous Application No.186 Of 2022 In S.B. Criminal Appeal No. 823 Of 2022

Mohd. Imteyaz

APPELLANT

Vs

State Of Rajasthan And Others

RESPONDENT

Date of Decision : 14-06-2022

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 439

Citation : (2022) 06 RAJ CK 0065

Hon'ble Judges : Kuldeep Mathur, J

Bench : Single Bench

Advocate : Kalu Ram Bhati, Gaurav Singh

Final Decision : Allowed

Judgement

Kuldeep Mathur, J

The appellant has filed this application praying for modification of the order passed by this Court on 13.06.2022 in S.B. Criminal Appeal No.823/2022, allowing release of the appellant on interim bail for attending the marriage ceremony of his sisters.

Learned counsel for the applicant-appellant has invited attention of the Court that, inadvertently, the conditions of the interim bail granted to the appellant are not mentioned in the order dated 13.06.2022.

Having heard the learned counsel and perused the order dated 13.06.2022, I am satisfied that the conditions for release of the appellant on the interim bail are required to be incorporated in the order dated 13.06.2022.

Accordingly, this misc. application is accepted and the operative portion of the order dated 13.06.2022 is modified in the following manner:

"Having regard to the entirety of the facts and circumstances as available on record and upon a consideration of the arguments advanced at the Bar, so also

the submissions made on behalf of the appellant that he is the only brother of his sisters, namely, Najmen Bano and Sahin Bano, this Court deems it just and proper to order that the appellant be released on interim bail for a period of four days i.e. from 15.06.2022 to 18.06.2022 for solemnization of his sisters' marriage, which is going to be solemnized on 15.06.2022.

Accordingly, this application for interim bail under Sec.439 CrPC is allowed, the order dated 03.06.2022 passed by the learned Special Judge, SC/ST (Prevention of Atrocities Cases), Bikaner is set aside and it is ordered that the appellant Mohd Imteyaz s/o Shri Ramzan shall be released on interim bail for a period of four days i.e. from 15.06.2022 to 18.06.2022 provided he furnishes personal bond in the sum of Rs.50,000 with two sureties in the sum of Rs.25,000/- each, provided further that one of the sureties shall be furnished by his blood relative (father, mother or sister), to the satisfaction of the Superintendent of the Central Jail, Bikaner.

The Superintendent of the Central Jail Bikaner shall immediately inform the concerned trial court in the event the appellant does not surrender himself after completion of the period of aforesaid interim bail."

The aforesaid modified operative directions shall be read as an integral part of the order dated 13.06.2022 passed in the Appeal No.823/2022.

The misc. application stands disposed of accordingly.