



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

S.B. Criminal Misc. Interim Bail Application No. 8439/2024

Rakesh S/o Mohanram, Aged About 26 Years, R/o Kanasar, Police
Station Bap, District Phalodi (Raj)
(Presently Lodged In Central Jail Jodhpur)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s) : Mr. Vishal Sharma for
Mr. Ashok Khilery

For Respondent(s) : Mr. Laxman Solanki, PP

HON'BLE MR. JUSTICE RAJENDRA PRAKASH SONI

Order

Reportable

09/07/2024

1. Instant interim bail application has been filed on behalf of the petitioner for releasing him on interim bail for a period of 40 days on the ground of marriage of his sister Nirma.
2. The facts leading to filing this interim bail application are that the petitioner is involved in F.I.R. No.34/2023 registered at Police Station Bap, District Jodhpur for committing offence punishable under Section 8/15 of N.D.P.S. Act.
3. Learned counsel for the petitioner submits that marriage of petitioner's sister Nirma is going to be solemnized on 10.07.2024 and presence of petitioner at home is necessary to participate in the marriage rituals of his sister. He further submits that petitioner is in custody since his arrest. He has invited attention of the Court towards wedding invitation card of petitioner's sister along with other documents. He further submits that there is no likelihood of



running away of petitioner from jurisdiction of the Court. Lastly, he prayed that in view of the above circumstances petitioner may be granted benefit of interim bail for 40 days.

4. Aforesaid contentions are opposed by learned Public Prosecutor. He argued that there is a possibility that the petitioner may flee and abscond, if interim bail is granted to him. The petitioner seeks to evade custody under the guise of marriage of his sister. He thus, prayed that having regard to the gravity of the offences alleged against the petitioner, the interim bail application be rejected.

5. Heard the arguments advanced by learned counsel for the applicant, learned public prosecutor and carefully perused the entire material available on record.

6. The instant interim bail application is filed on behalf of the petitioner on the ground to attend marriage of his sister Nirma.

7. Granting interim bail for marriage of petitioner's sister may pose a threat to public safety when the applicant is facing pending criminal charges like drug peddling. Keeping the applicant in custody ensures that any potential risks are mitigated while he attends said marriage. Allowing interim bail for said purpose raises concerns about the applicant's potential to flee from justice.

8. On the basis of documents available on record, this Court is of the opinion that petitioner's sister has other brothers also who can perform marriage rituals and no case for grant of interim bail to petitioner is made out. Therefore, balancing the interests of justice and public safety as well as performing of marriage rituals



together, this Court is not inclined to entertain the interim bail application filed on behalf of the petitioner.

9. Hence, the same is hereby rejected.

(RAJENDRA PRAKASH SONI),J

67-Payal/-

