



[2025:RJ-JD:3534]

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

S.B. Criminal Miscellaneous Bail Application No. 14318/2024

Hakim S/o Ishak Mohd, Aged About 35 Years, R/o Indira Colony
Sagwada P.s. Sagwada Dist Dungarpur. (At Present Lodged In
Sub Jail Sagwada)



-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s) : Mr. Jitendra Ojha
For Respondent(s) : Mr. Deepak Choudhary, AAG
Mr. Hanuman Prajapati, PP

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

20/01/2025

This application for bail under Section 439 Cr.P.C. (483 BNSS) has been filed by the petitioner who has been arrested in connection with F.I.R. No.218/2024 registered at Police Station Sagwara, Dist. Dungarpur, for the offences under Sections 152, 196, 197, 299, 353(1)(c), 353(2) of BNS and Sections 67, 67-A of IT Act.

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

Learned counsel for the petitioner submitted that the allegation against the present petitioner is of posting an obscene article along with certain photos about Hindu deities on his facebook account. Learned counsel submitted that the petitioner had no intentions of spreading hatred or causing harm to or



insulting the sentiments of followers of any religion. Learned counsel submitted that the petitioner is in judicial custody; the investigation against the petitioner has already been completed; the petitioner does not have any criminal antecedents; and the trial of the case will take sufficiently long time, therefore, the benefit of bail may be granted to the accused-petitioner.

Per contra, learned Public Prosecutor has vehemently opposed the bail application. However, he was not in a position to refute the fact that investigation against the petitioner has already been concluded.

Having considered the rival submissions, facts and circumstances of the case and without expressing any opinion on merits/demerits of the case, this Court is inclined to enlarge the petitioner on bail particularly since the investigating against him has already been completed and the prosecution has not shown any apprehension of the petitioner influencing the material prosecution witnesses or fleeing away from justice or tampering with the evidence or involving himself in a crime of similar nature, in case he is enlarged on bail..

Consequently, the bail application under Section 439 Cr.P.C. (483 BNSS) is allowed. It is ordered that the accused-petitioner **Hakim S/o Ishak Mohd** arrested in connection with F.I.R. No.218/2024 registered at Police Station Sagwara, Dist. Dungarpur, shall be released on bail, if not wanted in any other case, provided he furnishes a personal bond of Rs.50,000/- and two sureties of Rs.25,000/- each, to the satisfaction of learned trial court, for his appearance before that court on each & every



date of hearing and whenever called upon to do so till completion of the trial.

It is however, made clear that findings recorded/observations made above are for limited purposes of adjudication of bail application. The trial court shall not get prejudiced by the same.



(KULDEEP MATHUR),J

22-divya/-