

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous IV Bail Application No. 3505/2026
URN: CRLMB / 6263U / 2026

Ajay Kumar S/o Kalu Lal, Aged About 25 Years, R/o Suwaliya,
Police Station Panwad, District Jhalawar (Rajasthan) (At Present
Confined In District Jail Jhalawar).

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s)	:	Mr. Brahm Prakash Gurjar, Adv.
For Respondent(s)	:	Mr. Amit Punia, PP Mr. Harsh, IO, SHO, PS Panwar, District Jhalawar through VC

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

02/07/2026

1. The instant fourth bail application under Section 483 of the BNSS has been filed on behalf of the petitioner, who has been arrested in connection with FIR No.189/2023 registered at Police Station Panwad, District Jhalawar (Raj.) for offences punishable under Sections 147, 148, 149, 302, 323 & 341 of the IPC. After completion of investigation, police filed a charge-sheet against the petitioner for offences punishable under Sections 302, 341, 323, 325 and 34 of the IPC.
2. The first bail application filed on behalf of the petitioner was dismissed as withdrawn vide order dated 23.01.2025 while granting liberty to renew the prayer for bail after recording testimony of the Investigating Officer and the doctor who conducted the post-mortem. Thereafter, the second bail

application came to be dismissed on merits vide order dated 06.08.2025. Subsequently, the third bail application preferred by the petitioner was also dismissed by this Court vide order dated 16.01.2026 after considering the material available on record and observing that the trial is at the fag end and there exists no material change in circumstances to grant the relief of bail.

3. Learned counsel for the petitioner submits that after dismissal of the third bail application, no witness has been examined and there has been no progress in the trial. It is further submitted that an application under Section 311 Cr.P.C. was moved by the learned Public Prosecutor for recalling the witness, however, the learned trial Court observed that no such application was available on record though, it is urged by counsel for the petitioner that the said application forms part of the record. It is also submitted that the accused petitioner is behind bars since 30.09.2023, no witness has been examined after dismissal of the third bail application and further trial of the case may take considerable time and thus, further custody of the petitioner would not serve any fruitful purpose.

4. Per contra, learned Public Prosecutor has opposed the bail application and submitted that there exists no material change in circumstance after rejection of the earlier bail application which requires interference of this Court. It is submitted that the allegations against the petitioner remain unchanged and the fatal head injury attributed to the petitioner has been opined to be the cause of death. He further submits that all the witnesses have been examined and trial is at the fag end, thus, considering the

nature and gravity of the offence, the present fourth bail application may be dismissed.

5. Heard and perused the material available on record.

6. Having regard to the totality of the facts and circumstances of the case; considering the arguments advanced by the parties, especially the fact that the earlier bail application of the accused petitioner was dismissed by this Court after considering all the relevant circumstances and material available on record as well as the fact that all the witnesses have been examined before the trial Court and the trial is at the fag end, but without commenting anything on the merits of the case, this Court is not inclined to enlarge the accused petitioner on bail.

7. Accordingly, the instant fourth bail application stands dismissed.

8. Since, all the witnesses have been examined, the trial Court is requested to make all endeavour to conclude the trial on or before 31.10.2026.

9. However, it is made clear that observations made hereinabove are only for the purpose of deciding the present bail application and shall not prejudice the trial of the case in any manner.

(ANIL KUMAR UPMAN),J