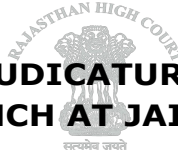




**HIGH COURT OF JUDICATURE FOR RAJASTHAN  
BENCH AT JAIPUR**



S.B. Criminal Miscellaneous Second Bail Application No.  
14518/2025

Vijayshankar Tank son of Shri Shrilal, aged 25 years, resident of  
Village Ramsar Tehsil Nasirabad District Ajmer (At present in  
Central Jail, Ajmer)

-----Petitioner

Versus

The State of Rajasthan, through P.P.

-----Respondent

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|                   |   |                                                                 |
|-------------------|---|-----------------------------------------------------------------|
| For Petitioner(s) | : | Mr. Jitendra Mituka with<br>Ms. Sapna Sharma &<br>Mr. Avi Airun |
| For Respondent(s) | : | Ms. Arti Sharma, PP                                             |

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**HON'BLE MR. JUSTICE ANIL KUMAR UPMAN**

**Order**

**05/05/2026**

1. This second bail application under Section 483 of BNSS has been filed on behalf of the petitioner, who has been arrested in connection with FIR No.322/2024 registered at Police Station Nasirabad Sadar, District Ajmer (Rajasthan) for offences punishable under Sections 103(1) & 3(5) of the Bharatiya Nyaya Sanhita, (in short 'BNS') 2023. After completion of investigation, police filed charge-sheet in this matter for offences punishable under Sections 103(1) & 238(a) of BNS, 2023.
2. The first bail application filed on behalf of the petitioner was dismissed by this Court vide order dated 16.01.2025. Now, this second bail application has been filed.



3. It is contended by learned counsel for the petitioner that the accused-petitioner has falsely been implicated in this case. Counsel submits that more than fifteen months have passed since rejection of the first bail application but till date, only two prosecution witnesses have been examined out of nineteen cited prosecution witnesses. Counsel submits that petitioner has been roped in this case solely on the basis of the fact that the deceased was lastly in the company of the petitioner. It is submitted that apart from the fact that the petitioner was last seen with the deceased, there is no evidence on record to connect the petitioner with the alleged crime. Counsel submits that there are no criminal antecedents against the petitioner and there is bleak chance of culmination of trial in near future. Counsel contends that the petitioner is in custody since 09.08.2024 and further custody of the petitioner would not serve any fruitful purpose.

4. Per contra, learned Public Prosecutor vehemently opposes the submissions advanced on behalf of the petitioner. She submits that ample evidence is available on record to connect the petitioner with the alleged crime as soon before death, the deceased was seen with the petitioner which is evident from the CCTV footage collected from the cameras installed near the place of incident. Counsel further submits that earlier bail application of the petitioner was dismissed by this Court on merits after considering all the material facts and as such, there is no substantial change in circumstances to entertain this second bail application.

5. I have considered the contentions.



6. Having regard to the totality of the facts and circumstances of the case and considering the arguments advanced at bar, especially considering the fact that first bail application of the petitioner was dismissed by this Court on merits and as such, there is no substantial change in circumstances to entertain this second bail application thus, this Court is not inclined to change its earlier view and enlarge the petitioner on bail.

7. Accordingly, this Criminal Misc. Second Bail Application stands dismissed.

8. However, looking to the period of incarceration suffered by the petitioner, this Court deems it just and proper to direct the learned trial Court to expedite the proceedings and make all endeavour to conclude the trial on or before 31.12.2026.

9. The observations made hereinabove are only for decision of the bail application and would not have any impact on the trial of the case in any manner.

(ANIL KUMAR UPMAN),J