

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

S.B. Criminal Miscellaneous 2<sup>nd</sup> Bail Application No. 16190/2025

Rajesh @ Raju S/o Premchand, R/o Patdi, Police Station Harnavdashahji, District Baran. (At Present Confined In District Jail Baran).

---Accused-Petitioner

Versus

State Of Rajasthan, Through PP

----Respondent

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| For Petitioner(s) | : Mr. Anurag Chahar for<br>Mr. Mukesh Pal Jadoun |
| For Respondent(s) | : Mr. Rhishi Raj Singh Rathore, PP               |

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**HON'BLE MR. JUSTICE SAMEER JAIN**

**Order**

**22/05/2026**

1. The instant second bail application has been filed under Section 483 of the BNSS, 2023 on behalf of the accused-applicant. The accused-applicant was arrested in connection with FIR No. 204/2023 registered at Police Station Harnavdashahji, District Baran for the offence(s) under Sections 394 and 302 of the IPC and the learned Trial Court amidst the offences under Sections 394, 302 & 34 of IPC dismissed the bail application before it.
2. Learned counsel for the accused-applicant has submitted that the applicant is aged about 37 years. It is submitted that the recovery of the alleged articles was not carried out in accordance with the mandatory procedure prescribed under the Cr.P.C., 1973. It is further submitted that the first bail application filed by the applicant was rejected by this Court in November 2025. Learned counsel submits that there is a material change in circumstances,

as on date, further material witnesses have been examined and their testimonies have been recorded before the learned Trial Court.

3. *Per contra*, learned Public Prosecutor has vehemently opposed the instant second bail application. It is submitted that there is no material change in circumstances to warrant interference at this stage. It is further submitted that the alleged offences are heinous in nature, the applicant possesses a strong history of criminal antecedents, and there is a specific recovery attributed to the applicant. It is next submitted that the case of the present applicant is distinguishable from that of the co-accused, and therefore, the concession of bail should not be granted.

4. Having heard the arguments advanced by learned counsel for the parties, considering the extreme gravity of the offences; taking note of the fact that allegations levelled on the applicant are heinous in nature; that the applicant possesses strong criminal antecedents; that there is a specific recovery made at the instance of the applicant; that the case of the present applicant is distinguishable from that of the co-accused; that considering the heinous nature of the offence which carries a life sentence upon conviction, a custody period of merely two and a half years is not sufficient to entitle the applicant to the concession of bail; that there is no material change in circumstances, and looking to the overall facts and circumstances of the case but without commenting on the merits/demerits of the case, this Court is not inclined to enlarge the accused-applicant on bail at this stage.

5. Accordingly, the instant second bail application filed under Section 483 of the BNSS, 2023 is dismissed at this stage.

(SAMEER JAIN),J

s-32/DEEPAK