HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 8354/2026
CNR: RJHC020505482026 | URN: CRLMB / 15218U / 2026

Akshay Jain S/o Shri Lal Chand Jain, Aged About 39 Years, R/o House No. C-53-54, Nirman Nagar, Police Station Shyam Nagar, Jaipur (Raj.). (The Accused Petitioner Presently Confined In Central Jail Jaipur).

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s)	:	Mr. Rajneesh Gupta Mr. Fateh Ram Meena
For Respondent(s)	:	Mr. Rishi Raj Singh Rathore, PP Mr. Dinesh Bishnoi

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HON'BLE MR. JUSTICE SAMEER JAIN

Order

19/08/2026

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. 415/2025 registered at Police Station Shyam Nagar, Jaipur City (South), District Jaipur for the offence(s) under Section 108 & 61(2) of the BNS, 2023.

2. Learned counsel for the accused-applicant has submitted that the previous bail application of the applicant was dismissed by this Court vide order dated 28.11.2025. It is submitted that there is a material change in circumstances as from the said dismissal, additional custody period of approximately 10 months has elapsed. It is next submitted that the charge-sheet has been

filed in the matter and that the trial is likely to take a considerable time to conclude. Learned counsel further submits that the applicant has no criminal antecedents and is a parent to a minor child, who is presently in the custody of elderly grandparents, and therefore, immediate parental care and financial support is required from the applicant. Relying upon the testimony of PW-1 recorded on 24.04.2026, learned counsel argued that the statement reflects the *bona fide* conduct and concern of the applicant towards the deceased and her family prior to the incident.

3. *Per contra*, learned Public Prosecutor, assisted by learned counsel for the complainant, have vehemently opposed the instant second bail application and submitted that the present case pertains to abetment of suicide under Section 108 BNS, following 13 years of marriage during which the deceased was subjected to continuous physical assault, mental abuse, and harassment. Highlighting the evidence on record, it is submitted that the last text message sent prior to the incident is self-explanatory and incriminates the applicant. Moreover, a detailed order was passed on 28.11.2025 rejecting bail on merits, and no substantial material change in circumstances has occurred since then.

4. Having heard the arguments advanced by learned counsel for the parties, upon an assiduous scanning of the material available on record, and considering the gravity of the offence under Section 108 BNS; taking note of the incriminating electronic evidence on record, including the last text message prior to the incident; the specific allegations of continuous physical abuse and harassment over 13 years of marriage; and finding that the mere

recording of PW-1's testimony does not constitute a substantial material change in circumstances so as to override the gravity of the allegations; 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 allow the present second bail application filed by the accused-applicant.

5. Accordingly, the present second bail application filed under Section 483 of the BNSS, 2023 is dismissed.

(SAMEER JAIN),J

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