



CGHC010390392026



2026:CGHC:44914

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9355 of 2026

- Pranay Kunjam S/o Shri Neel Kunjam, Aged About 27 Years R/o Village Singdai, P.S. Basantpur, District Rajnandgaon (C.G.)

... Applicant

versus

- State Of Chhattisgarh Through Station House Officer, Police Station Basantpur District Rajnandgaon (C.G.)

... Non-Applicant

For Applicant	: Mr. Prakshay Shrivastava, Advocate
For State	: Ms. Smriti Shrivastava, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

16.10.2026

1. This is the second bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 316/2026 registered at Police Station Basantpur, District Rajnandgaon (C.G.), for the offence punishable under Section 34(2) of Chhattisgarh Excise Act.
2. Earlier, first bail application i.e. MCRC No. 9130 of 2026 was rejected for want of prosecution vide order dated 28.09.2026.
3. Case of the prosecution, in brief, is that on 08.07.2026, police of Police Station Basantpur, District Rajnandgaon has received a secret information from the informant and on the basis of said information, raid was conducted

and seized 7.200 bulk liters of liquor from possession of the present applicant. Thereafter, aforesaid offence was registered against the present applicant.

4. Learned counsel for the applicant submits that the present applicant has falsely been implicated in this case and the said 7.200 bulk liters of liquor was not seized from exclusive possession of the applicant. He further submits that the applicant is in jail since 08.07.2026, charge-sheet has been filed and trial is likely to take some time for its conclusion. He would further submit that the present applicant has a total of eight criminal antecedents, out of which he has been acquitted in one case, one case has been disposed of, and the remaining six cases are pending consideration. He would pray for grant of bail to the present applicant.
5. On the other hand, learned counsel for the State would oppose the bail application and submit that the applicant has 02 live criminal antecedents under the Excise Act and total 08 previous antecedents, which shows that the applicant is a habitual offender, therefore, he is not entitled for grant of regular bail in the present case.
6. I have heard learned counsel appearing for the parties and perused the case diary.
7. In the present bail application, the applicant has disclosed 08 criminal antecedents of similar nature. Nonetheless, the primary objectives of examining an accused person's criminal antecedents during bail proceedings are:
 - To assess the likelihood of compliance with bail conditions and ensure the accused will not flee or jump bail;
 - To determine whether there is a habitual pattern of committing

similar or grave offenses; and

- To evaluate the risk of evidence tampering, obstruction of the ongoing investigation, or witness intimidation.

8. The existence of 02 pending criminal antecedents of an identical nature and total 08 criminal antecedents underscores a persistent pattern of offending, raising a grave apprehension of offense repetition if he is enlarged on bail.
9. Also in light of the judgment rendered by the Supreme Court in *Deepak Yadav v. State of Uttar Pradesh & Another*, reported in (2022) 8 SCC 559, wherein the Hon'ble Supreme Court had cancelled the bail granted to the accused therein on the ground that the accused had previous antecedents, this Court is not inclined to extend the benefit of bail to the applicant.
10. Accordingly, the instant bail application is hereby **rejected**.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

Siddhant