NIRMALA
RAO

CGHC010363412026 2026:CGHC:44653

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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9023 of 2026

1 - Deva Dhruw @ Dev S/o Raju Dhruw Aged About 19 Years R/o Ayodhya Nagar, Near Sanskriti Bhawan, Changorabhatha, P.S. D.D. Nagar, Raipur, District- Raipur (C.G.)

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through Station Temple Officer, Police Station Deendayal Nagar, Raipur District- Raipur (C.G.)

... Respondent(s)

For Applicant	:	Mr. C.R. Sahu, Advocate
For Non-applicant	:	Mr. Sourabh Sahu, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order On Board

15.10.2026

1. This is the first 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.146/2026 registered at Police Station Deendayal Nagar, Raipur, District Raipur (C.G.), for the offence punishable under Sections 331(4) & 305(A) of BNS.

2. According to the prosecution, the complainant lodged a report at the concerned police station, alleging that, on the date of the incident, some unknown persons entered the temple and committed theft of cash amounting to Rs.25,000/-. On the basis of the said complaint, the aforesaid offences were registered against the applicant.

3. Learned counsel for the applicant would submit that the applicant is innocent and has falsely been implicated in the present case. He would further submit that the applicant has two criminal antecedents of a similar nature, registered in the years 2025 and 2026. He would also contend that the applicant has been in jail since 5.4.2026 and that the trial is likely to take some time to conclude. He would, therefore, pray for grant of bail to the applicant.

4. On the other hand, learned counsel for the State would oppose the bail application and submit that the applicant has two active criminal antecedents of a similar nature, registered in the years 2025 and 2026, which indicates that he is a habitual offender. He would, therefore, submit that the applicant is not entitled to be released on bail.

5. I have heard learned counsel for the parties and perused the case diary.

6. In the present bail application, the applicant has disclosed two criminal antecedents of a similar nature. Nonetheless, the primary objectives of examining an accused person's criminal antecedents during bail proceedings are as follows:

- 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.

The existence of 2 pending criminal antecedents underscores a persistent pattern of offending, raising a grave apprehension of offense repetition if he is enlarged on bail.

7. 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.

8. Accordingly, the instant bail application is **rejected**.

Sd/-

(Rakesh Mohan Pandey)
JUDGE

Nimmi