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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8832 of 2026

- Jageshwar Miri S/o Rangilal Miri, Aged About 35 Years R/o Village Garhfuljhar, P.S. Basna, District Mahasamund (C.G.)

... Applicant

versus

- State Of Chhattisgarh Through Police Station Basna, District Mahasamund (C.G.)

... Non-applicant

For Applicant	:	Mr. Sudhir Kumar Sahu, Advocate
For Non-applicant	:	Ms. Sameeksha Gupta, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order On Board

26.10.2026

1) The applicant has preferred this First Bail Application under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No.466/2026, registered by Police Station Basna, District : Mahasamund (C.G.) for the offence punishable under Section of 34(2) of C.G. Excise Act.

2) Case of the prosecution, in brief, is that Police Station Basna received a secret information from the informant and on the basis of said information, raid was conducted and 35 litre of country

made liquor was seized from the possession of the present applicant. Thereafter, the aforesaid case was registered against the present applicant.

3) Learned Counsel for the applicant submits that though the present applicant has one live criminal antecedent but he has been falsely implicated in this case and he is languishing in jail since 27.08.2026, conclusion of the trial is likely to take quite long time. Therefore, he prays for grant of regular bail to the applicant.

4) On the other hand, learned counsel for the State, opposes the bail application and submits applicant is a habitual offender as he has 01 live criminal antecedent under the Excise Act pertaining to year 2026 which is pending consideration before the competent criminal court, therefore he is not entitled for grant of regular bail in the present case.

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

6) In the present bail application, the applicant has disclosed 01 criminal antecedent, pointing out that no other cases have been registered against him. 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.

The existence of 01 pending criminal antecedent of an identical nature pertaining to year 2026 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

Ajinkya