CGHC010374892026 2026:CGHC:44223

NAFR

NIRMALA RAO

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9097 of 2026

1 - Krishna Yadav S/o Rajkumar Yadav, Aged About 19 Years R/o Ramlila Chowk, Khamhardih, Thana-Khamhardih, District Raipur (Chhattigarh)

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through The Station House Officer, Police Station Bemetara, District Bemetara (C.G.)

... Respondent(s)

For Applicant	:	Mr. Anjay Mishra, Advocate
For Non-applicant	:	Ms. Monika Thakur, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order On Board

13.10.2026

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.102/2026 registered at Police Station Bemetara, District Bemetara (C.G.), for the offence punishable under Sections 331(4), 305(a) & 3(5) of BNS.

2. According to the prosecution, the complainant, Vikram Singh, lodged a complaint alleging that unidentified persons had broken the lock of his ancestral house situated at Village Jewra during the intervening night

of 16th and 17th February, 2026, and committed theft of silver coins, a silver idol of Goddess Laxmi, brass, copper and bronze utensils, and cash amounting to Rs. 22,000/-. On the basis of the said allegations, 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 this case on the basis of memorandum statement and mere suspicion on the part of the police authorities. He would further submit that the applicant has four criminal antecedents of a similar nature, all registered in the year 2026. He would also contend that the charge-sheet has been filed, the applicant has been in jail since 22.02.2026, and 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 charge-sheet has been filed before the competent Court and that various articles have been recovered from the possession of the present applicant. Learned counsel would further submit that the applicant has four active criminal antecedents of a similar nature, all registered in the year 2026 itself, which indicates that he is a habitual offender. Hence, 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 four 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 4 pending criminal antecedents of an identical nature 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 applications are **rejected**.

Sd/-

(Rakesh Mohan Pandey)
JUDGE

Nimmi