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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9062 of 2026

*** -** Keshav Kavi S/o Late Rohit Kavi Aged About 28 Years R/o Brahmin Para, Malgaon, P.S. Nagarnar, Post - Malgaon, District Bastar, Chhattisgarh

... Applicant

Versus

*** -** State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali, Jagdalpur, District – Bastar, Chhattisgarh

... Non-Applicant

For Applicant	:	Mr. Niraj Baghel, Advocate
For Non-Applicant	:	Mr. Jitendra Shrivastava, Government Advocate

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 Bharatiya Nagrik Suraksha Sanhita, 2023 as he is in jail since 12.03.2025 in connection with Crime No. 56/2025 registered in Police Station- City Kotwali, Jagdalpur, District Bastar (CG) for commission of offence punishable under Sections 331(4), 305, 317(2) and 112(2) of BNS.

2. As per case of prosecution, on 12.02.2025 complainant namely Kumari Akanksha Das lodged an F.I.R. to the effect that due to ill-health of her mother, she alongwith her mother had gone to Bhilai on 16.10.2024 for

medical treatment. On 17.11.2024, she returned back to her house and found everything in order. Thereafter, on 18.11.2024, she again went back to Bhilai and on 10.02.2025, when she returned home, she found that the cupboard was broken and the lock of a tin-box was also found broken. Upon checking, she discovered that gold ornaments including three gold neckless, two gold bangles, two gold chains, four pairs of gold earrings etc amounting Rs.1,60,000/- and cash Rs.30,000/- were missing. On such complaint, police registered the offence as stated above.

3. Learned counsel appearing for the applicant would submit that the applicant has falsely been implicated in the case. He would contend that co-accused namely Kaushal Joshi who has 06 criminal antecedents has already been granted by the High Court vide order dated 27.02.2026 in MCRC No. 1920/2026. He would submit that there are 29 witnesses, out of which 04 witnesses have been examined. It is also contended that charge-sheet has already been filed, the applicant is in jail since 12.03.2025, therefore, he may be granted bail.

4. On the other hand, learned Government Advocate appearing for the State/non-applicant would oppose. He would submit that the applicant is habitual offender and he has total 23 criminal antecedent, therefore, bail application deserves to be rejected.

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

6. In the present bail application, the applicant has 23 criminal antecedents. 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 23 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.

8. Having considered the fact that there are 21 cases of theft, 01 case under the Arms Act against the applicant and in 01 case, he fled away from the police custody, the manner in which offence was committed, without commenting anything on merits of the case, I am not inclined to grant bail to the present applicant.

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

Sd/-

(Rakesh Mohan Pandey)
Judge

vatti