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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9446 of 2026

- Khemkaran Dhruw @ Fighter S/o Shri Ganesh Dhruw Aged About 20 Years R/o Near Indra Chowk, Aadiwasi Colony, Kushalpur, Raipur, Police Station - Purani Basti, Tehsil And District- Raipur (C.G.)

...Applicant

versus

- State Of Chhattisgarh Through- The Station House Officer, Purani Basti, Raipur, District- Raipur (C.G.)

... Non-applicant

For Applicant	:	Mr. Ravikar Patel, Advocate
For Non-applicant	:	Mr. Sourabh Sahu, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order On Board

28.10.2026

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.336/2026, registered by Police Station Purani Basti, District : Raipur (C.G.) for the offence punishable under Section 25 of Arms Act.

2) The prosecution story in brief, is that on 24.07.2026, local police while patrolling received information that the present applicant was openly wielding an steel knife in a public place. Acting on information, police apprehended the applicant on the spot and one steel knife was seized from his possession. Thereafter, the

crime has been registered against the present applicant.

3) Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. He further submits that although the applicant has 03 live criminal antecedents of a similar nature, all such antecedents have been duly explained in this bail application. He also submits that the applicant has been languishing in jail since 24.07.2026 and the conclusion of trial is likely to take considerable time. Therefore, he prays for the grant of regular bail to the applicant.

4) On the other hand, the learned counsel for the State opposes the bail application and submits that the applicant has not disclosed 02 criminal antecedents under various sections of BNS and IPC pertaining to the years 2022 and 2025 in the present bail application. She further submits that the pendency of five live criminal cases shows he is a habitual offender; therefore, he is not entitled to the grant of regular bail in the present case.

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

6) The applicant submits that he had no role in the commission of the aforesaid offence and that the alleged recovery is wholly fabricated. Pertinently, the applicant has disclosed 03 criminal antecedents in this bail application, whereas the learned State counsel has contended that 02 more criminal cases under various

Sections of BNS and IPC were registered against the applicant in the years 2022 and 2025 which have not been explained in the present bail application. 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 05 pending criminal antecedents, including 03 cases of an identical nature pertaining to the years 2022 to 2025, underscores a persistent pattern of offending, raising a grave apprehension of the repetition of offenses 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