CGHC010382422026 2026:CGHC:45515

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9460 of 2026

- Samaru @ Seena Yadav Son Of Nanakidau Aged About 36 Years Resident Of Village Chhote Gantuli Thana Kosir, Teh. Sarangarh, District Sarangarh-Bilaigarh (C.G.)

... Applicant

versus

- State Of Chhattisgarh Through Station House Officer, Police Station Kosir District Sarangarh-Bilaigarh (C.G.)

... Non-applicant

For Applicant	:	Mr. Udho Ram Koshaley, Advocate
For Non-applicant	:	Ms. Monika Thakur, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order On Board

28.10.2026

1) The applicant has preferred this Second 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.67/2026, registered by Police Station Kosir, District Sarangarh-Bilaigarh (C.G.) for the offence punishable under Sections 296, 115(2), 351(2), 324(2), 309(6), 121(1) and 221 of Bhartiya Nyaya Sanhita, 2023.

2) The prosecution story in brief is that on 16.05.2026, the complainant, who is a Postmaster, went to the applicant's home to deliver mail. It is alleged that when the complainant was delivering

the mail to the applicant's wife, the applicant intervened, verbally abused, and assaulted the complainant using a wooden log. An FIR was lodged on 17.05.2026, whereupon the police registered an offence and arrested the applicant.

3) Learned counsel for the applicant submits that the earlier bail application, i.e., MCRC/7778/2026, preferred by the applicant was dismissed for want of prosecution vide order dated 16.09.2026. He further submits that the applicant is innocent and has been falsely implicated in these cases merely on the suspicion of the police authorities. He also submits that although the applicant has 13 criminal antecedents, he has been acquitted in seven of those cases, and all such antecedents have been duly explained in Part-D (Criminal Antecedents) of the present bail application. He further contends that the charge-sheet has been filed in all these cases before the competent Court, the applicant has been in jail since 18.05.2026, and the trial is likely to take some time to conclude; therefore, he prays for the grant of bail.

4) On the other hand, learned counsel for the State opposes the bail application and submits that in the present case, charge-sheet has been filed before the competent Court. She further submits that the applicant has 13 criminal antecedents which makes him a habitual offender. Hence, he is not entitled for grant of 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 13 criminal antecedents, pointing out that he has already been acquitted in 07 of those cases. 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 13 criminal antecedents including 06 live cases 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