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CGHC010384352026 2026:CGHC:46701

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9343 of 2026

1 - Aryan Mishra S/o Late Dwarika Prasad Mishra Aged About 19 Years R/o Milan Chowk, Camp -02, Bhilai Distt- Durg (C.G.) (Father Named Correctly Mentioned)

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through S H O, P.S. Khursipar, Distt- Durg (C.G.)

... Respondent(s)

For Applicant	:	Mr. Sudhanshu Singh, Advocate
For Non-applicant	:	Ms. Monika Thakur, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order On Board

04.11.2026

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.234/2026 registered at Police Station Khursipar, District Durg (C.G.), for the offence punishable under Sections 296, 115(2), 351(3), 304, 119(1) & 324 of BNS.

2. According to the prosecution, on 19.6.2026, at about 7:30 p.m., the complainant's son, Kuleshwar Joshi, who works at a Honda showroom,

was returning home with his salary when Krishi Nepali, along with the other co-accused persons, who were standing near Gautam Nagar, Khursipar Chowk, demanded money from him for purchasing liquor. When the complainant's son refused, they abused him using filthy language, threatened to kill him, assaulted him with their hands, fists and a baseball bat, and snatched Rs. 5,000/- from him. They also damaged the motorcycle and mobile phone of Kuleshwar Joshi. 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 been falsely implicated in this case. He would further submit that the applicant has six criminal antecedents of a similar nature, all registered during the years 2024–2025. He would also contend that the charge-sheet has been filed, the applicant has been in jail since 11.8.2026, 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 six criminal antecedents of a similar nature, all registered during the years 2024–2025, 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 six 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 six 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 application is **rejected**.

Sd/-

(Rakesh Mohan Pandey)
JUDGE

Nimmi