SIDDHANT TAMRAKAR
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**NAFR**

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**MCRC No. 9306 of 2026**

- Vijay Yadav @ Monu S/o Narottam Yadav Aged About 28 Years R/o Yadav Para, Village- Gadadih, Police Station- Utai, District- Durg, Chhattisgarh (Particulars Of The Applicants Are Mentioned Correctly)

**... Applicant**

**versus**

- State Of Chhattisgarh Through- Police Station- Utai, District- Durg (C.G.)

**... Non-Applicant**

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For Applicant : Mr. Anmol Sharma, Advocate
For State : Mr. Vivek Sharma, Panel Lawyer

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**Hon'ble Shri Justice Rakesh Mohan Pandey**

**Order on Board**

**05.10.2026**

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. 325/2026 registered at Police Station Utai, District Durg (C.G.), for the offence punishable under Section 34(2) of Excise Act.

2. Case of the prosecution, in brief, is that on 25.06.2026, police of Police Station Utai, District Durg has received a secret information from the informant and on the basis of said information, raid was conducted and seized 5.4 bulk liters of country made liquor from the possession of the present applicant. Thereafter, the aforesaid case was registered against the

present applicant.

3. Learned counsel for the applicant submits that the present applicant has falsely been implicated in this case and the said 5.4 bulk liters of country made liquor was not seized from exclusive possession of the applicant. He further submits that the applicant is in jail since 25.06.2026, charge-sheet has been filed and trial is likely to take some time for its conclusion. He would further contend that present applicant has total 10 criminal antecedents and one case has been disposed of. He would pray for grant of bail to the present 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 in the present case before the competent Court. He also submits that the applicant has 07 criminal antecedents under the Excise Act and total 10 criminal antecedents, which shows that the applicant is a habitual offender, therefore, he is not entitled for grant of regular bail in the present case.

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

6. In the present bail application, the applicant has disclosed 10 criminal antecedents, pointing out that one case has already been disposed of. 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.

7. The existence of 07 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.

8. 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.

9. Accordingly, the instant bail applications are **rejected**.

Sd/-
**(Rakesh Mohan Pandey)**
**JUDGE**

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