CGHC010391822026 2026:CGHC:46299

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9435 of 2026

1 - Gulab Kandra S/o Brij Kandra, Aged About 27 Years R/o- In Front Of Mango Garden, Shaktighat, Sarora, P.S- D.D. Nagar, District- Raipur (C.G.)

... Applicant(s)

versus

1 - State Of Chhattisgarh Through S.H.O. P.S. - D.D. Nagar, District Raipur (C.G.)

…. Non-Applicant

For Applicant	**:**	Mr. Pushkar Sinha, Advocate
For Non-Applicant /State	**:**	Mr. Akash Agrawal, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

02/11/2026

1. This application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed by the applicant for grant of regular bail, who has been arrested in connection with Crime No. 360/2026 registered at Police Station D.D. Nagar, Raipur (C.G.) for offences punishable under Sections 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, NDPS Act).

2. The prosecution story in brief, is that Police Station concerned received secret information from the informant and on the basis of said information, a raid was conducted wherein 1.200 kg Ganja

was recovered from the possession of the present applicant. Thereafter, the crime has been registered against the applicant.

3. Learned counsel for the applicant submits that the applicant is innocent and he has falsely been implicated in this case and she is lady. He further submits that the applicant has 7 criminal antecedents, out of which, he has been acquitted in two cases and the same has been duly explained in Part-D (Criminal Antecedents) of the present bail application. He also submits that charge-sheet has been filed before the competent Court and the applicant is in jail since 06.06.2026 and the trial is likely to take some time for its conclusion, therefore, he prays for grant of bail.

4. On the other hand, learned counsel for the State opposes the bail application and submit that in the present cases, charge-sheet has been filed before the competent Court and contraband was recovered from the possession of present applicant. He further submits that the applicant has seven criminal antecedents, out of which three cases are registered under the provisions of the NDPS Act, two cases under the provisions of the Excise Act, and the remaining two cases under the provisions of the IPC, 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 7 criminal antecedents, pointing out that he has already been

acquitted in 02 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 7 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, 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

Jyoti