CGHC010392402026 2026:CGHC:46297

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9486 of 2026

Aniket Dewar S/o Amjad Dewar Aged About 26 Years R/o Fish Market, Dewar Basti Khursheepar Police Station Khursheepar District - Durg (Chhattisgarh) (Details Of Applicant Properly Not Mentioned In Impugned Order Sheet And Correct Details Is Being Mentioned)

... Applicant

versus

State Of Chhattisgarh Through Station House Officer P.S. - Khurseepar District - Durg (C.G.) (Details Of Non - Applicant Properly Not Mentioned In Impugned Order Sheet And Correct Details Is Being Mentioned As Per F I R)

... Respondent(s)

For Applicant	**:**	Shri Avinash Chand Sahu, Advocate
For Respondent(s)	**:**	Shri Sourabh Sahu, Panel lawyer

Hon’ble Shri Justice Rakesh Mohan Pandey

Order on Board

02/11/2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail

to the applicant who has been arrested in connection with Crime No. 203/2026 registered at Police Station Khurshipar, District Durg (C.G.) for the offence punishable under Section 20(B) of NDPS Act. The applicant is in custody since 17.06.2026.

2. The prosecution case, in brief, is that on 03.06.2026, the Assistant Sub-Inspector of Police Station Khurseepar received information from an informer that one person had stored an illegal narcotic substance, cannabis, behind his house in a public toilet. When the police reached near the aforesaid place, a total of 9.176 kg of cannabis was seized from the said place. As the applicant ran away from there, and during investigation, it was found that he was in jail in connection with other offences, he was arrested in the present case as well. He admitted that he owned the aforesaid recovered substance.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. Nothing has been recovered from the exclusive possession of the present applicant. The present applicant has been arrested only on the basis of presumption and there is no material evidence against the present applicant. It is argued that the applicant has been arrested only on the basis of memorandum of statement of co-accused and the applicant is in jail since 17.06.2026, the investigation has been completed, the charge-sheet has already been filed. The applicant is ready to abide by all stringent terms and conditions that may be imposed by this Court, and there is no

likelihood of absconding or tampering with evidence; thus, the applicant may be enlarged on regular bail.

4. On the other hand, learned counsel appearing for the State/non-applicant would oppose the bail application and submit that the present applicant has 9 criminal antecedents out of which 5 is under Excise Act, 1 under NDPS Act registered in the year 2026 and 3 under BNS. Hence, the bail application is liable to be dismissed.

5. I have heard learned counsel for the parties and perused the material available on record.

6. In the present bail application, the applicant has 9 criminal antecedents, out of which 5 is under Excise Act, 1 under NDPS Act registered in the year 2026 and 3 under BNS. 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 offences; and
- To evaluate the risk of evidence tampering, obstruction of the ongoing investigation, or witness intimidation.

7. The existence of 4 live criminal antecedents out of which one is of identical nature pertaining the the year 2026 underscores a persistent pattern of offending, raising a grave apprehension of offence repetition if he is enlarged on bail.

8. Also, in light of the judgment rendered by the Supreme Court in **Deepak Yadav vs. 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 application is **rejected.**

SD/-

(Rakesh Mohan Pandey)
JUDGE

Madhurima