SIDDHANT TAMRAKAR
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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9432 of 2026

- Avesh Dhankar S/o Late Shri Ramdas Dhankar Aged About 21 Years R/o. Village - Sukhari, Police Station - Dongargaon, District - Rajnandgaon (C.G.)

... Applicant

versus

- State Of Chhattisgarh Through The Station House Officer Of The Police Station - Dongargaon, District - Rajnandgaon (C.G.)

... Non-Applicant

For Applicant : Mr. Dharmendra Pooran Patel, Advocate
For State : Ms. Smriti Shrivastava, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

07.10.2026

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. 242/2026 registered at Police Station Dongargaon, District Rajnandgaon (C.G.), for the offence punishable under Section 34(2) of Excise Act.

2. Case of the prosecution, in brief, is that on 02.08.2026, police of Police Station Dongargaon, District Rajnandgaon has received a secret information from the informant and on the basis of said information, raid was conducted and seized 05.760 bulk liters of liquor from possession of the present applicant. Thereafter, aforesaid offence 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 05.760 bulk liters of liquor was not seized from exclusive possession of the applicant. He further submits that the applicant is in jail since 02.08.2026, 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 two criminal antecedents, which are pending consideration. 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 applicant has 02 criminal antecedents under the Excise Act, 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 02 criminal antecedents of similar nature. 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 02 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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