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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

SIDDHANT TAMRAKAR
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Date: 2026.10.29 17:55:45 +0530

MCRC No. 10176 of 2026

- Ismail Sheikh S/o Late Baboo Sheikh Aged About 19 Years R/o Near Muktidham, Torwa, Bilaspur, P.S. Torwa, District Bilaspur (C.G.)

... Applicant

versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Janjgir, District Janjgir-Champa (C.G.)

... Non-Applicant

For Applicant : Mr. Ajay Kumar Chandra, Advocate
For State : Mr. Kanwaljeet Singh Saini, Dy. Government Advocate

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Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

29.10.2026

1. This is the second 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. 160/2026 registered at Police Station Janjgir, District Janjgir-Champa (C.G.), for the offence punishable under Sections 331(4), 305(A), 317(2), 3(5) of BNS.

2. Earlier, first bail application i.e. MCRC No. 7911 of 2026 was rejected on merits vide order dated 25.08.2026.

3. Case of the prosecution in brief, is that some unknown persons allegedly entered the complainant’s house and committed theft of various articles including gold, silver ornaments and cash of Rs. 5,00,000/-. Accordingly, an

FIR was registered against unknown persons, and during the course of investigation, the present applicant was arrested.

4. Learned counsel for the applicant would submit that the present applicant is innocent and has falsely been implicated in the present case. He further submits that applicant is a young boy aged about 19 years and he is in jail since 01.04.2026. It is also submitted that the first bail application of the applicant was rejected vide order dated 25.08.2026, with a direction to the trial Court to conclude the trial expeditiously, but there is no substantial progress in the trial. He would pray for grant of bail to the present applicant.

5. On the other hand, learned counsel for the State would oppose the bail application and submit that the present applicant has 12 criminal antecedents, out of which 9 cases are of similar nature. He would further submit that earlier, bail application of the applicant was rejected on the ground of his criminal antecedents, even in the present application, the applicant failed to explain criminal antecedents and there is no change in circumstances warranting reconsideration of the prayer for bail. He would submit that instant application deserves to be rejected.

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

7. In the present bail application, the applicant has not explained 12 criminal antecedents. There are 12 criminal antecedents of the applicant, out of which 9 cases are 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.

8. The existence of 9 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. Further, earlier bail application i.e. MCRC No. 7911 of 2026 was rejected on merits vide order dated 25.08.2026 on the ground of his criminal antecedents and there is no change in circumstances warranting reconsideration of the prayer for bail, therefore, I am not inclined to allow this bail application.

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

Sd/-
(Rakesh Mohan Pandey)
JUDGE

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