CGHC010346272026 2026:CGHC:44705

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9243 of 2026

Purushottam Yadav S/o Bhujbal Yadav Aged About 35 Years R/o Village Bagdabri, Post Khisora, Police Station Balouda, Distt- Janjgir- Champa (C.G.)

... Applicant(s)

versus

State Of Chhattisgarh Through Police Station Koni, Distt- Bilaspur (C.G.)

... Non-Applicant(s)

For Applicant	:	Mr. Sudeep Verma, Advocate.
For Non-Applicant/State	:	Ms. Ankita Shukla, Panel Lawyer

Hon'ble Mr. Rakesh Mohan Pandey, Judge

Order on Board

15/10/2026

1. The applicant has preferred this first bail application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail, as he has been arrested in connection with Crime No. 264/2026 registered at Police Station Koni, District Bilaspur (C.G.), for the offences punishable under Sections 309(4) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. The prosecution story, in brief, is that the complainant, Priyanshu Sahu, lodged a written report on 27.05.2026 stating that his driver,

Jitendra Kumar, had parked the complainant's trailer bearing registration No. CG-10-BL-8136 near Sendri Automobile on the roadside of the National Highway at about 8:00 p.m. on 23.04.2026, after the vehicle had broken down. At around 3:30 a.m. on 24.04.2026, upon hearing the sound of the diesel tank being broken, the driver woke up and allegedly saw four unknown persons removing diesel from the vehicle. When he objected, they allegedly threatened him by showing a firearm, looted the diesel and fled from the spot. On the basis of the report, the aforesaid crime was registered. During investigation, the present applicant and other accused persons were interrogated, and in their memorandum statements, they allegedly disclosed their involvement in the commission of the offence along with other co-accused persons.

3. Learned counsel for the applicant would submit that the applicant is innocent and has been falsely implicated in the present case. He would further submit that there is no prima facie evidence against the applicant except the memorandum statement. He would also submit that the applicant has been in jail since 27.05.2026 and that the conclusion of the trial is likely to take some time therefore, he prays for grant of bail to the applicant.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that the applicant, along with other co-accused persons, allegedly committed robbery of diesel from the complainant's trailer after threatening the driver with a firearm. He

would further submit that the bail applications of similarly situated co-accused Amit Kumar Bharadwaj and Sanjay Kurre have already been rejected by this Court and a coordinate Bench of this Court in MCRC No. 7567/2026 and MCRC No. 7756/2026, vide orders dated 28.09.2026 and 20.08.2026, respectively, on the ground of their criminal antecedents. The applicant also has two criminal antecedents, both of which are pending consideration. Therefore, the applicant is not entitled to be released on bail.

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

6. Having considered the facts and circumstances of the case, nature and gravity of the offence alleged against the applicant and the fact that the bail applications of similarly situated co-accused Amit Kumar Bharadwaj and Sanjay Kurre have already been rejected by this Court and a coordinate Bench of this Court in MCRC No. 7567/2026 and MCRC No. 7756/2026, vide orders dated 28.09.2026 and 20.08.2026, respectively, on the ground of their criminal antecedents and that the present applicant also has two criminal antecedents as has been explained in the bail application of part-D criminal antecedents, it appears that the present applicant is a habitual offender, further he has misused the bail granted to him earlier, and also in light of the judgment rendered by the Hon'ble 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 of the opinion that it is not a fit case to enlarge the applicant on regular bail. Accordingly, the bail application of applicant – **Purshottam Yadav** involved in Crime No. 264/2026 registered at Police Station Koni, District Bilaspur (C.G.), for the offences punishable under Sections 309(4) and 3(5) of the Bharatiya Nyaya Sanhita, 2023. , is **rejected**.

Sd/-
(Rakesh Mohan Pandey)
Judge

Kunal