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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 701 of 2026

Sanni Dubey S/o Suresh Dubey @ Banarsi Dubey, Aged About 28 Years R/o Manendragarh, Police Station And Tahsil Manendragarh , District- Manendragarh - Chirmiri - Bharatpur (C.G.)

... Applicant(s)

versus

State Of Chhattisgarh Through The Station House Officer, Police Of Police Station Manendragarh , District- Manendragarh - Chirmiri - Bharatpur (C.G.)

... Respondent(s)

For Applicant(s) : Mr. Ramsajiwan, Advocate.

For Respondent(s) : Mr. Nitansh Jaiswal, Dy. G.A.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

20.01.2026

1. The applicant has preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), for grant of regular bail, as he has been arrested in connection with Crime No. 35/2025, registered at Police Station



Manendragarh , District- Manendragarh - Chirmiri - Bharatpur
(CG) for the offence punishable under Sections 331(4), 305(A) r/w
Section 3 (5) of BNS.

2. The prosecution story in brief, is that the complainant, Balwant Singh Yadav, submitted a written report stating that on the night of 01.04.2025, a theft was committed in his old house situated at Ward No. 3, Chanwaridand. On the next morning at about 6:00 a.m., his neighbour Pritam Singh Maravi informed him over the phone that the lock of his house was broken and the door was found open. Upon reaching the spot, the complainant found household articles scattered and noticed that an LED television and an electric iron were missing. Suspecting theft by unknown persons and expressing suspicion against Sunny Dubey, the complainant lodged a report at Police Outpost Manendragarh. Consequently, on 05.04.2025, FIR No. 35/25 was registered under Sections 331(4) and 305(A) of the Bharatiya Nyaya Sanhita against unknown persons. During investigation, on the basis of memorandum statements of the accused persons, an LED TV and rod were seized from accused Sunny Dubey, and an electric iron was seized from accused Rajeshwar Pandey. Both accused were arrested on 05.04.2025. Statements of five witnesses have been recorded, out of which one memorandum and seizure witness did not support the prosecution case, however, the remaining memorandum and seizure witness, other witnesses, and the Investigating Officer have supported the prosecution



case. Hence, the bail application.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in this case. He further submit that though the applicant that nine criminal antecedents, but six cases have already been disposed of and only three cases are pending against the applicant. He also submits that so far as the status of the trial is concerned, the evidence of the witnesses has been recorded and the statement of the applicant under Section 313 of the CrPC has also been recorded. However, one of the co-accused, namely Rajeshwar Pandey, is absconding, on account of which the trial is not proceeding, on account of which trial is not proceeding and the is in jail since 05.04.2025 and the trial is likely to take some time for its conclusion. Therefore, he prays for grant of bail to the applicant.
4. On the other hand, learned State counsel opposes the bail application and submits that the charge-sheet has been filed in the present case before the competent Court. He further submits that allegedly the applicant along with co-accused, committed house-breaking and theft by breaking the lock of the complainant's house and stealing an LED TV and other articles, which were recovered from his possession on the basis of his memorandum statement. So far as criminal antecedents of the applicant are concerned, applicant has nine criminal antecedents, out of which, six cases have been disposed of, but three cases



are pending, which are of identical nature and the same goes to show that the applicant is a habitual offender with multiple prior criminal cases. Therefore, the applicant is not entitled for grant of bail.

5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts & circumstances of the case, nature & gravity of the offence, material available in the case diary and the fact that though the allegation against the applicant is that he along with co-accused, committed house-breaking and theft by breaking the lock of the complainant's house and stealing an LED TV and other articles, which were recovered from his possession on the basis of his memorandum statement, but considering the fact that the applicant has nine criminal antecedents, out of which six cases have been disposed of and three cases are still pending, which are of identical nature, the same goes to show that the applicant is a habitual offender with multiple prior criminal records and has misused the liberty of bail granted to him earlier, 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 of the opinion that is not a fit case to enlarge the applicant on regular



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bail

7. Accordingly, the bail application of applicant-**Sanni Dubey**, involved in Crime No. 35/2025, registered at Police Station Manendragarh , District- Manendragarh - Chirmiri - Bharatpur (CG) for the offence punishable under Sections 331(4), 305(A) r/w Section 3 (5) of BNS, is **rejected**.
8. The learned trial Court is directed to proceed in accordance with law and conclude the trial with respect to the applicant, if the said accused, who is absconding is not traceable.
9. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance.

Sd/-
(Ramesh Sinha)
Chief Justice

Akhil