



2026:CGHC:15315



2026:CGHC:15315

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 2960 of 2026**

Aakash Kumar Nag S/o Late Raju Nag Aged About 22 Years R/o Sanjay Nagar, Ward No. 14, Infront Of District Hospital, Dantewada, District Dantewada (C.G.)

... Applicant**versus**

State Of Chhattisgarh Through The Station House Officer, Police Station Kotwali, Jagdalpur, District – Bastar (C.G.)

... Respondent(s)

For Applicant(s) : Mr. Shishir Dixit, Advocate.

For Respondent(s) : Mr. Sourabh Sahu, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice
Order on Board

02.04.2026

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. 179/2024, registered at Police Station Kotwali, Jagdalpur, District – Bastar (CG) for the offence punishable under Sections 379, 411 and 34 of the IPC.
2. The prosecution story in brief, is that the complainant Govind Gautam lodged report of theft of his motorcycle on 14.04.2024 stating that on 09.04.2024 when he was purchasing goods after parking his motorcycle at parking stand and on returning his motorcycle was missing and was stolen from there. On the basis of the complaint, the crime was registered and the applicant was arrested. Hence, this application.



3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in this case. It is further submitted that the charge-sheet has been filed in the present case. The applicant is in jail since 21.06.2024 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 the applicant is said to have committed the crime of theft of motorcycle of the complainant from the parking, and he has a total of 10 criminal antecedents which are still pending, one of the year 2022 and others of the year 2024 for identical offence of theft, and no plausible explanation has been given for the same, 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 the applicant is said to have committed the crime of theft of motorcycle of the complainant from the parking, and he has a total of 10 criminal antecedents which are still pending, one of the year 2022 and others of the year 2024 for identical offence of theft, and no plausible explanation has been given for the same, which shows that applicant is a habitual offender and he has misused the bail granted to him earlier, and 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 bail.

7. Accordingly, the bail application of applicant- **Aakash Kumar Nag**, involved in Crime No. 179/2024, registered at Police Station Kotwali, Jagdalpur, District – Bastar (CG) for the offence punishable under Sections 379, 411 and 34 of the IPC, is **rejected**.
8. Needless to say that the trial Court concerned is at liberty to proceed with the trial and conclude the same, expeditiously.
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