



2026:CGHC:24660



2026:CGHC:24660

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 5039 of 2026

Mayank Soni S/o Sanjay Soni Aged About 26 Years R/o Behind Of Bamleshwari Mandir, D. D. Nagar, Danganiya Police Station - D.D. Nagar, District - Raipur, Chhattisgarh.

... Applicant(s)

versus

State Of Chhattisgarh Through Station House Officer, P.S. Tikrapara, District - Raipur, Chhattisgarh.

... Respondent(s)

For Applicant(s) : Mr. Sunil Sahu, Advocate.

For Respondent(s) : Ms. Smriti Shrivastava, P.L.

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

18.06.2026

1. The applicant has preferred this Second 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. 383/2024, registered at Police Station Tikrapara, District - Raipur (CG) for the offence punishable under Sections 457, 380, 411, 34 of the Indian Penal Code (IPC).



2. Case of the prosecution, in brief, is that on the complaint of S.K.

Pauranik, FIR bearing Crime No. 383/2024 was registered at Police Station Tikrapara for offences relating to house-breaking and theft. During investigation, the present applicant was taken into custody in connection with another criminal case and, on the basis of his memorandum statement and the disclosure made by the co-accused persons, stolen articles pertaining to the present case and other theft cases were recovered. Consequently, the applicant was arrested in the present case and remanded to judicial custody. It is alleged that the applicant, in furtherance of a common intention with the co-accused persons, committed house-breaking by entering the complainant's residence during night hours through a route not intended for entry and dishonestly removed gold ornaments, cash and an LG sound system from the house. Hence, the bail application.

3. Learned counsel for the applicant submits that the first bail application was rejected by this Court on merits vide order dated 07.08.2025 passed in MCRC No.5454 of 2025, therefore this second bail application is filed on the ground that the co-accused, against whom the allegation pertains to the purchase of the stolen property, has already been enlarged on bail by this Court vide order dated 12.06.2025 passed in MCRC No.4342 of 2025. So far as criminal antecedents of the applicant are concerned, applicant has seven criminal antecedents under the BNS, against which the applicant has preferred bail application bearing MCRC Nos. 5313 of 2025, 5402 of 2025, 5446 of 2025, 5349 of 2025, 5423 of 2025, 5086 of



2026 and 5088 of 2026, which have already been rejected by this Court. The applicant is in jail since 04.04.2025 and the conclusion of trial is likely to take some time, therefore, he prays for releasing the applicant on regular bail.

4. On the other hand, learned State counsel opposes the bail application and submits that the applicant has seven criminal antecedents of identical nature registered at Crime Nos.476/2024, 32/2025, 669/2024, 772/2024 and 610/2024. She further submits that the applicant along with the co-accused persons, committed house-breaking during night hours and dishonestly stole gold ornaments, cash and an LG sound system from the complainant's residence. It is further alleged that stolen property was recovered pursuant to his memorandum statement, 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. From perusal of the records, it transpires that this is the second bail application of the applicant and first bail application of the applicant was rejected by this Court vide order dated 07.08.2025 in MCRC No. 5454 of 2025 on the ground that the applicant allegedly in collusion with other co-accused persons committed house-breaking during night hours and dishonestly stole gold ornaments, cash and an LG sound system from the complainant's residence, further the stolen property was recovered pursuant to his memorandum statement and the applicant is having seven criminal antecedents of



identical nature, against which the applicant preferred bail application bearing MCRC Nos. 5313 of 2025, 5402 of 2025, 5446 of 2025, 5349 of 2025, 5423 of 2025, 5086 of 2026 and 5088 of 2026, which have already been rejected by this Court, considering the fact that the applicant is habitual offender 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 bail.

7. Accordingly, the second bail application of the applicant- **Mayank Soni**, involved in Crime No. 383/2024, registered at Police Station Tikrapara, District - Raipur (CG) for the offence punishable under Sections 457, 380, 411, 34 of the IPC, is **rejected** at this stage.
8. Needless to say that the trial Court concerned is at liberty to proceed and concluded the trial expeditiously.
9. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-
(Ramesh Sinha)
Chief Justice