



2026:CGHC:24659



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 5046 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 (C.G.)

... Applicant(s)**versus**

State Of Chhattisgarh Through Station House Officer, P.S. Tikrapara,
District- Raipur (C.G.)

... Respondent(s)

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

For Respondent(s) : Ms. Vaishali Mahilong, Dy. Govt. Advocate.

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. 772/2024, registered at Police Station Tikrapara, District - Raipur (CG) for the offence punishable under Sections 331(4), 305-A and 317(4) of BNS.
2. The prosecution story, in brief, is that on 09.10.2024, the complainant, Devendra Matasyapal, lodged a report at Police Station Tikrapara, District Raipur (C.G.), stating that he had gone to Dantewada along with his family on 06.10.2024 and returned on



09.10.2024. Upon his return, he found that the main gate of his house was open and the locks of the rooms as well as the locker had been broken. He further discovered that gold and silver ornaments worth Rs. 2,38,000/- and cash amounting to Rs. 62,000/- had been stolen by some unknown person(s). On the basis of the said report, a crime was registered against unknown persons.

During the course of investigation, the present applicant was taken into custody in connection with Crime No. 32/2025 registered at Police Station New Rajendra Nagar. His memorandum statement was recorded and, thereafter, he was arrested in the present case pursuant to a production warrant. After completion of the investigation, the charge-sheet has been filed before the competent Court.

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.5349 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.4364 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 however, in crime No. 32/2025, he has been acquitted



by the trial Court on 02.04.2026. The applicant is in jail since 05.04.2025 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, 383/2024, 669/2024, 772/2024, 610/2024 and another. She further submits that during the course of investigation, the involvement of the applicant surfaced on the basis of material collected by the prosecution and his memorandum statement. It is further submits that the applicant's earlier bail application was dismissed on merits vide order dated 07.08.2025 and there is no substantial change in circumstances warranting reconsideration of his prayer for bail. Considering the nature and gravity of the offence, the criminal antecedents of the applicant and his involvement in other criminal cases, she submits that the applicant is not entitled to be released on bail and, therefore, prays for rejection of the present bail application.
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. 5349 of 2025 on the ground that the applicant allegedly in collusion with other co-accused persons committed house-breaking and dishonestly stole gold ornaments, cash 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 as he is involved in other cases of similar nature 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. 772/2024, registered at Police Station Tikrapara, District - Raipur (CG) for the offence punishable under Sections 331(4), 305-A and 317(4) of BNS, 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