



2025:CGHC:44015

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1303 of 2025

Dipak Singh S/o Late Kumar Singh Aged About 34 Years R/o Camp-1,18
Number Road Near Maurya Coaching Bhilai, Tehsil And District- Durg (C.G.)

... Applicant

versus

State Of Chhattisgarh Through- Station House Officer, Police Station-
Vaishali Nagar, Bhilai, District- Durg (C.G.)

... Non-applicant

For Applicant	: Mr. D.K. Vishwakarma, Advocate.
For Non-applicant/State	: Mr. Malay Jain, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order On Board

29.08.2025

1. The applicant has preferred this application under Section 482 of the
Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of Anticipatory Bail,
apprehending his arrest in connection with Crime No.142/2025,
registered at Police Station – Vaishali Nagar Bhilai, Durg District -
Durg (C.G.) for the alleged commission of offence punishable under
Sections 296,115(2), 351(3) 109 & 3(5) of the Bhartiya Nyaya Sanhita,
2023.

2. The case of the prosecution, in brief, is that the complainant lodged a report at the concerned Police Station, Vaishali Nagar, District Durg, Chhattisgarh, stating that a dispute had arisen between the accused persons and her husband due to previous enmity. Thereafter, the accused persons assaulted her husband, used filthy language, and threatened to commit murder. As a result, the injured person sustained simple injuries. Based upon such complaint, the police registered an offence punishable under Sections 296, 115(2), 351(3), 109, and 3(5) of the B.N.S., at Crime No. 142/2025 against the applicant
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the alleged crime. It is further submitted that four co-accused persons are involved in the present case, out of whom three have already been enlarged on anticipatory bail by the trial Court itself. In so far as the present applicant is concerned, it has been stated in paragraph No. 4 of the bail application that the applicant has 13 criminal antecedents. It is also submitted that in the present case, the injured, who is the husband of the complainant, has filed a no-objection for grant of bail before the trial Court, yet the same has been rejected. Therefore, the applicant prays for grant of anticipatory bail.
4. On the other hand, the learned State counsel opposed the submissions made by the learned counsel for the applicant. He submitted that the applicant has a criminal antecedent of 13 cases. Although this fact has been mentioned in paragraph No. 4 of the bail application, no details or particulars of the said cases have been provided. Upon query being made from the counsel for the applicant

regarding the status of those cases, it was stated that in all the cases the applicant is on bail. The learned State counsel further submitted that out of the 13 cases, two are under Section 307 of the IPC. Therefore, the applicant is not entitled to the grant of anticipatory bail.

5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the nature and gravity of the offence, and upon perusal of the material available on record, including the case diary, it appears that the applicant has a criminal antecedent of 13 cases. Although the said fact has been mentioned in paragraph No. 4 of the bail application but no details or particulars of the said cases have been given by the applicant, and it is further revealed that out of the 13 cases, two pertain to the offence under Section 307 of the IPC. In view of the aforesaid facts and circumstances of the case, this Court is not inclined to grant anticipatory bail to the applicant as he is a habitual offender.
7. Accordingly, the anticipatory bail application of the applicant – **Dipak Singh**, involved in Crime No.142/2025, registered at Police Station – Vaishali Nagar Bhilai, Durg District - Durg (C.G.) for the alleged commission of offence punishable under Sections 296,115(2), 351(3) 109 & 3(5) of the Bhartiya Nyaya Sanhita, 2023, is **rejected**.

Sd/-
(Ramesh Sinha)
Chief Justice