



CGHC010205432026

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

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MCRC No. 4794 of 2026

Narbada Jaiswal Son Of Dhurwa, Aged About 53 Years Resident Of Village Domanpur, Chowki Juna Para, Police Station Takhatpur, District- Bilaspur (C.G.)

... Applicant**Versus**

State Of Chhattisgarh Through - The Station House Officer, Police Of Excise Circle Takhatpur, District- Bilaspur (C.G.)

... Respondent(s)

For Applicant	:	Mr. Chandrikaditya Pandey, Advocate
For Respondent(s)	:	Mr. Malay Jain, P.L.

HON'BLE SHRI RAMESH SINHA, CHIEF JUSTICE**ORDER ON BOARD****09.07.2026**

1. This is the 1st bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the Applicant who has been arrested in connection with Crime No. 26/2026 registered at Police Station – Excise Circle Takhatpur, District- Bilaspur (C.G.), for the offences under

Sections 34 (1) (3), 34 (2) and 59 (A) of C.G. Excise Act.

2. As per the prosecution story, in brief is that on 06.05.2026, the Excise Circle Takhatpur, on the basis of secret information during the patrolling, conducted a raid and the present applicant was found to be in possession of illicit liquor. The Excise Circle found 6.00 Bulk Liter country made liquor kept in one plastic jerrycan, capacity of 10 litter, whereas two other plastic jerrycan capacity of 15 litter were filled of hand made country Mahuva Liquor, thus total quantity of 36 bulk liter of hand made country liquor (Mahuva) was found from the possession of present applicant, which was seized and the applicant was arrested. Hence, this bail application.
3. Learned counsel for the Applicant submits that the Applicant is innocent and has been falsely implicated in the present case and he is in incarceration since 06.05.2026. He submits that the liquor was not seized from the exclusive possession of the present applicant, there is no panchnama and no properly physical and chemical test of the liquid was done. He further submits that charge-sheet has not been filed and the conclusion of trial is likely to take considerable time, therefore, it is prayed that he may be enlarged on regular bail.
4. On the other hand, learned State Counsel opposes the application and submits that there are 2 cases of similar nature registered against the applicant, therefore, the present bail application of the

applicant be rejected.

5. Having heard learned counsel for the parties and upon perusal of the case diary, this Court finds that there are previous cases which have been registered against the applicant, he is a habitual offender. Considering the nature and gravity of the offence, the allegations regarding the applicant's involvement in the crime in question, 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.
6. Accordingly, the bail application of the applicant – **Narbada Jaiswal** involved in Crime No. 26/2026 registered at Police Station – Excise Circle Takhatpur, District- Bilaspur (C.G.), for the offences under Sections 34 (1) (3), 34 (2) and 59 (A) of C.G. Excise Act is hereby **rejected**.
7. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information.

Sd/-

(Ramesh Sinha)
Chief Justice