



CGHC010221352026

2026:CGHC:29155

NAFR

Digitally
signed by
SAURABH
YADAV
Date:
2026.07.13
11:26:23
+0530

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 5206 of 2026

Bablu @ Videshi Nishad Son Of Late Chhedilal, Aged About 40 Years Resident Of Purani Basti Kharsia, Police Station And Tehsil Kharsia, District- Raigarh (C.G.)

... Petitioner(s)

Versus

State Of Chhattisgarh Through- The Station House Officer, Police Station Kharsia, District- Raigarh (C.G.)

... Respondent(s)

For Applicant	: Mr. Shivendra Bhardwaj, Advocate
For Respondent(s)	: Ms. Ankita Shukla, P.L.

HON'BLE SHRI RAMESH SINHA, CHIEF JUSTICE

ORDER ON BOARD

10.07.2026

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. 222/2026 registered at Police Station – Kharsia,

District- Raigarh (C.G.), for the offences under Sections 34 (2) and 59 (A) of Excise Act.

2. As per the prosecution story, in brief is that, on 08-05-2026, the police conducted raid and seized 15 bulk liter country made Mahuva liquor from the motorcycle of applicant, subsequently the applicant has been arrested by the police for the commission of alleged offence. Copy of the FIR is being filed and marked as Annexure A-2. Hence, the present 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 08.05.2026. He submits that the Mahua Liquor was not seized from the exclusive possession of the present applicant. 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 7 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 – Bablu @ Videshi Nishad involved in Crime No. 222/2026 registered at Police Station – Kharsia, District- Raigarh (C.G.), for the offences under Sections 34 (2) and 59 (A) of 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