



CGHC010231532026



2026:CGHC:30984

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Date: 2026.07.22
11:06:20 +0530**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 5404 of 2026**

Smt. Sirmoti Manjhi W/o Shri Chatal Sai Manjhi Aged About 45 Years R/o
Village - Kudumkela, P.S. And Tahsil - Gharghoda, District Raigarh
Chhattisgarh **...Applicant**

versus

State Of Chhattisgarh Through The Station House Officer, Police Station
Gharghoda, Distt. Raigarh Chhattisgarh **... Non-applicant**

For Applicants	: Mr. Rajendra Patel, Advocate.
For Non-applicant/State	: Mr. Shailendra Sharma, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****21.07.2026**

1. This is the first bail application filed under Section 483 of the Bhartiya
Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the
applicants who have been arrested in connection with Crime No.
184/2026, registered at Police Station – Gharghoda, District - Raigarh
(C.G.) for the offence punishable under Sections 34(2) and 59(a) of
the Excise Act.

2. According to the prosecution, the Police of Police Station Gharghoda, District - Raigarh received a secret information from the informant during patrolling that the applicant has kept illicit country made mahua liquor for the purpose of selling. Acting upon the said information, the police, conducted the raid and caught hold of the applicant and alleged to have seized 26 liters of country made mahua liquor kept in 3 jerricanes in the courtyard of applicant's house, therefore, the FIR was registered and the applicant was arrested for commission of the aforesaid offence.
3. Learned counsel for the applicant submits that the present applicant is innocent and has been falsely implicated in the present case. It is submitted that the alleged illicit liquor was recovered from an open place and not from the conscious or exclusive possession of the applicant. The applicant has no connection with the alleged seized liquor, and the prosecution has failed to collect any cogent and reliable evidence to establish her involvement in the alleged offence. The applicant has been in judicial custody since 29.05.2026, therefore, he prays for grant of regular bail to the applicant.
4. On the other hand, learned State Counsel opposes the bail application and submits that the charge-sheet has already been filed in the present case.
5. I have heard learned counsel for the parties and perused the case-diary.
6. Considering the facts and circumstances of the case, the nature and gravity of the allegations levelled against the present applicant, the fact that the charge-sheet has already been filed before the competent

Court, that the applicant has no criminal antecedents, and that the applicant has been in judicial custody since 29.05.2026, coupled with the fact that the conclusion of the trial is likely to take some time, this Court is of the considered view that the applicant is entitled to be released on bail in the present case.

7. Let applicant, **Smt. Sirmoti Manjhi**, involved in Crime No. 184/2026, registered at Police Station – Gharghoda, District - Raigarh (C.G.) for the offence punishable under Sections 34(2) and 59(a) of the Excise Act, be released on bail on furnishing **personal bond** with **two local sureties** in the like sum to the satisfaction of the court concerned with the following conditions:-

(i) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(ii) The applicant shall remain present before the trial court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the trial court may proceed against him under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence, proclamation under Section 84 of BNSS. is issued and the applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicant shall remain present, in person, before the trial court on the dates fixed for (i) opening

of the case, (ii) framing of charge and (iii) recording of statement under Section 351 of BNSS. If in the opinion of the trial court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against her in accordance with law.

8. Office is directed to provide a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-

(Ramesh Sinha)
Chief Justice

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