



CGHC010237882026



2026:CGHC:34253

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 5990 of 2026

Devkumar Bhardwaj S/o Dhruvkumar Bhardwaj Aged About 48 Years
R/o Village Lakhram, Police Station Ratanpur, District- Bilaspur (C.G.)

... Applicant

versus

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

... Non-Applicant

For Applicant : Shri Prahlad Shrivastava, Advocate.

For Non-Applicant : Miss Palak Dwivedi, PL.

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

05/08/2026

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 applicant who has been arrested in connection with Crime
No.389/2026 registered at Police Station Ratanpur, District
Bilaspur (C.G.) for the offence under Section 34(2) of the Excise
Act.

KRISHNA KUMAR BARVE	Digitally signed by KRISHNA KUMAR BARVE Date: 2026.08.06 16:36:03 +0530
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2. The prosecution case, in brief, is that on 09-06-2026, the police of Police Station Ratanpur has recovered 18 liter country made plain liquor and 02 liter Hand made Mahuva liquor (total 20 bulk liter illicit liquor) from possession of present applicant. Thereafter the FIR was registered against the applicant. Hence the bail application.
3. It has been argued by learned counsel for the applicant that the applicant is innocent and has been falsely implicated in the crime. A false seizure memo has been prepared by the police in order to rope the applicant in a false case. Moreover, the applicant has 10 criminal antecedents registered against him, out of which in 5 cases he has been acquitted whereas the other 5 cases have already been disposed of. The applicant is in jail since 10.6.2026. Therefore, the applicant may be released on bail.
4. On the other hand, learned counsel appearing for the State/non-applicant would oppose the bail application and submit that the applicant has 10 criminal antecedents registered against him, out of which in 5 cases he has been acquitted whereas the other 5 cases have already been disposed of, and the charge sheet has been submitted against the applicant.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, and the fact that the charge sheet has already been submitted

against the applicant, the applicant has 10 criminal antecedents registered against him, out of which in 5 cases he has been acquitted whereas the other 5 cases have already been disposed of, he is in jail since 10.6.2026 and conclusion of trial is likely to take some time, this Court is of the view that the applicant is entitled to be released on bail in the present case.

7. Let the Applicant – **Devkumar Bhardwaj**, involved in Crime No.389/2026 registered at Police Station Ratanpur, District Bilaspur (C.G.) for the offence under Section 34(2) of the Excise Act, be released on bail on furnishing **personal bond** with **two 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 their counsel. In case of his absence, without sufficient cause, the trial court may proceed against them 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 applicants are 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 them in accordance with law.

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

Sd/-
(Ramesh Sinha)
Chief Justice