



CGHC010272592026



2026:CGHC:32047

**NAFR**

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**MCRC No. 6709 of 2026**

Ashok Sinha S/o. Paltan Sinha, Aged About 44 Years R/o Village Chaknar (Narmada), Tahsil and Police Station Gandai District - Khairagarh-Chhikhadan -Gandai (K. C. G.), Chhattisgarh

**... Applicant**

**versus**

State of Chhattisgarh Through - City Police Station - Gandai, District - Khairagarh-Chhuikhadan-Gandai (K. C. G.), (C. G.)

**... Non-applicant**

|                         |                                                                                                 |
|-------------------------|-------------------------------------------------------------------------------------------------|
| For Applicant           | : Mr. Ravi Kumar Bodhani, Advocate (through video-conferencing), and Mr. Ankush Soni, Advocate. |
| For Non-applicant/State | : Ms. Smriti Shrivastava, Panel Lawyer.                                                         |

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**Hon'ble Mr. Ramesh Sinha, Chief Justice**

**Order on Board**

**27.07.2026**

1. This is the **second bail application** filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 128/2026 registered at Police Station - Gandai, District - Khairagarh-Chhuikhadan-Gandai (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. The prosecution story in brief, is that, as per the secret information received from the informant, on the basis of such information, the Police officials conducted raid and have seized 5.040 bulk liters of country made

liquor from the possession of the present applicant. Thereafter, the crime has been registered against the applicant.

- 3.** Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. He further submits that the first bail application which was rejected by this Court vide order dated 08.05.2026 passed in MCRC No.4335/2026 on the ground that the applicant has total 03 previous criminal antecedents under the Excise Act of the year 2021 and 2022, out of which only 01 case has been disposed of and two cases are still pending. He further submits that the charge-sheet has been submitted and he is in jail since 16.04.2026. Therefore, he prays that the applicant to be enlarged on bail.
- 4.** On the other hand, the learned counsel for the State opposes the bail application and submits that the first bail application was rejected on the ground that the applicant has total 03 previous criminal antecedents under the Excise Act of the year 2021 and 2022, out of which only 01 case has been disposed of and two cases are still pending, which shows that he is a habitual offender. Hence, his bail application is liable to be dismissed.
- 5.** I have heard learned counsel for the parties and perused the material available on record.
- 6.** Taking into consideration the fact and circumstances of the case and the fact that the first bail application of the applicant was rejected by this Court vide order dated 08.05.2026 passed in MCRC No.4335/2026 on the ground that the applicant has total 03 previous criminal antecedents under the Excise Act of the year 2021 and 2022, out of which only 01 case has been disposed of and two cases are still

pending, which shows that the he is a habitual offender, and it cannot be said to be a case of false implication and no new ground has been raised by the applicant, 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 it is not a fit case to enlarge the applicant on regular bail.

7. Accordingly, the second bail application of applicant – **Ashok Sinha** involved in Crime No. 128/2026 registered at Police Station - Gandai, District - Khairagarh-Chhuikhadan-Gandai (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act, **rejected** at this stage.
8. Needless to say that the trial Court is at liberty to proceed to with the trial and conclude the same, expeditiously.
9. The Office is directed to provide a certified copy of this order to the trial Court for necessary information and compliance forthwith.

**Sd/-**

**(Ramesh Sinha)**  
**Chief Justice**