



CGHC010319522026



2026:CGHC:38616

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8061 of 2026

Chanda Dhritlahare W/o Chandrashekhar Dhritlahare Aged About 32 Years R/o Nagar Palika Parishad Odaka P.S.- Aarang, Distt. Raipur (C.G.) (Note Ghritlahare Surname Wrongly Mentioned In Impugned Order Sheet)

... Applicant

versus

State Of Chhattisgarh Through Police Station Excise Circle Aarang, District Raipur (C.G.)

... Non-Applicant

For Applicant : Shri Suraj Patel, Advocate.

For Non-Applicant : Smt. Smriti Shrivastava, PL.

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

01/09/2026

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.74/2026 registered at Police Station Excise Circle Aarang, District Raipur (C.G.) for the offence under Sections 34 (2) & 59

KRISHNA KUMAR BARVE	Digitally signed by KRISHNA KUMAR BARVE Date: 2026.09.01 19:33:52 +0530
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(A) of the Excise Act.

2. The prosecution case, in brief, is that on 03/07/2026, the police, after receiving tip from the informer, visited the house of the accused situated at village Odhaka Ratbahiniya para, and police searched the house of applicant in front of witnesses and on which 50 pieces & 24 pieces quarter country liquor masala total 13.32 bulk litre of liquor (country liquor masala sharab) of Rs. 7400 was found from the applicant and the same was confiscated. The applicant was served with notice u/s 94 of B.N.S.S., 2023 upon which she failed to submit any document. On the basis of the said search, the prosecution has registered the crime against the present 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. The Court below has failed to appreciate that the prosecution has miserably failed to bring home the ingredients of the charges were under section 34(2) of Excise Act against the applicant. The applicant does not have any criminal antecedent. The applicant is in jail since 3.7.2026. 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 does not have any criminal antecedent, and the charge

sheet has been submitted against the applicant. Therefore, the bail application may be rejected.

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 does not have any criminal antecedent, which is mentioned in the bail application, the applicant is in jail since 3.7.2026 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. Accordingly, the Application is **allowed**.
7. Let the Applicant – **Chanda Dhritlahare**, involved in Crime No.74/2026 registered at Police Station Excise Circle Aarang, District Raipur (C.G.) for the offence under Sections 34 (2) & 59 (A) 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 she 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

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