



CGHC010334862026



2026:CGHC:38580

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8009 of 2026

Ashok Kumar Bansal S/o Late Lale Bansal Aged About 32 Years R/o Village Lalpur Police Station Manendragarh, District Manendragarh, Bharatpur Chirmiri C. G.

Digitally
signed by
AKHILESH
KUMAR
DEWANGAN

... Applicant(s)

versus

State Of Chhattisgarh Through- Station House Officer, Excise, Circle, Manendrgarh, District Manendragarh Bharatpur Chirmiri C. G.

... Respondent(s)

For Applicant(s) : Mr. Ramsajiwan, Advocate.

For Respondent(s) : Ms. Palak Dwivedi, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

01.09.2026

- The applicant has preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), for grant of regular bail, as he has been arrested in connection with Crime No. 53/2026, registered at Police Station Excise, Circle, Manendrgarh, District Manendragarh Bharatpur Chirmiri (CG) for the offence punishable under Sections 34(1)(A),

34(2) and 59(A) of C.G. Excise Act.

2. Case of the prosecution, in brief, is that as per secret information, the Police of concerned Police Station seized 41 liter of english liquor from the possession of the applicant, which led to the registration of alleged offence against the applicant and subsequently the applicant was arrested. Hence, the bail application.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. The mandatory provisions with regard to search and seizure have not been followed by the Police in this case. He further submits that under Section 34(2) of the Chattisgarh Excise Act, the minimum punishment is one year and maximum punishment is three years. He also submits that the applicant is in jail since 05.08.2026 and the conclusion of the trial is likely to take quite long time. Therefore, he prays for releasing the applicant on regular bail.
4. Learned counsel appearing for the State/non-applicant opposes the bail application and submit that the charge-sheet has been filed in the present case. She further submits that the applicant has five criminal antecedents, out of which, four cases are under the Excise Act of the year 2020, 2022, 2023 and 2024 and one case is under the IPC of the year 2020, as such, the applicant is a habitual offender and is not entitled for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary.

6. Considering the fact that the charge-sheet has been filed in the present case and the applicant has five criminal antecedents, out of which, four cases are under the Excise Act of the year 2020, 2022, 2023 and 2024 and one case is under the IPC of the year 2020, which shows that the applicant is a habitual offender and has misused the liberty to bail granted to him earlier, 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.
7. Accordingly, the bail application of the applicant - **Ashok Kumar Bansal**, involved in Crime No. 53/2026, registered at Police Station Excise Circle, Manendrgarh, District Manendragarh Bharatpur Chirmiri (CG) for the offence punishable under Sections 34(1)(A), 34(2) and 59(A) of C.G. Excise Act, is **rejected**.
8. Needless to say that the trial Court concerned is at liberty to proceed and conclude the trial expeditiously.
9. 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