



CGHC010392582026



2026:CGHC:44634

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9414 of 2026

Parwan Rathiya S/o Late Shri Ghurau Rathiya Aged About 28 Years R/o Village

Tangardhat, P.S. And Tahsil - Tamnar, District - Raigarh Chhattisgarh

...Applicant

versus

State of Chhattisgarh, through The Station House Officer, Police Station
Tamnar, Distt. Raigarh Chhattisgarh.

... Non-Applicant

For Applicant	: Mr. Rajendra Patel, Advocate
For Non-Applicant	: Ms. Priya Sharma, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

15/10/2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 210/2026, registered at Police Station – Tamnar, District – Raigarh (C.G.), for offences punishable under Sections 34(2) and 59(a) of the Chhattisgarh Excise Act, 1915.

2. Case of the prosecution, in brief, is that on 22.08.2026, while on patrolling duty, the police of Police Station Tamnar received secret information from an informant that the applicant was storing and selling illicit country-made Mahua liquor in large quantities in the courtyard of his house. Acting upon the tip-off, a raid was conducted, during which the police allegedly seized a total of 31 bulk liters of illicit country-made Mahua liquor stored in one white plastic jerrycan, four green plastic bottles, and three white plastic bottles. Consequently, the crime was registered, the applicant was arrested.
3. Learned counsel appearing for the applicant submits that the applicant has falsely been implicated in the crime and no contraband was seized from his exclusive possession. It is further submitted that the applicant has two criminal cases, one registered in the year 2022 under Section 36(f)(1) of the Chhattisgarh Excise Act, which stands disposed of and fine was imposed upon him, and the other being purely of a preventive nature; the investigation is complete and the charge-sheet has already been submitted before the trial Court; the applicant has been languishing in jail since 22.08.2026; the offence is triable by a Judicial Magistrate First Class and the trial will take its own course to conclude; therefore, it is prayed that the applicant may be enlarged on regular bail.
4. On the other hand, learned counsel appearing for the State opposes the bail application and submitted that 31 bulk liters of illicit Mahua liquor were recovered from the possession of the applicant, who also has a past record under the Excise Act; hence, he is not entitled to be released on bail.
5. I have heard learned counsel appearing for the parties and perused the case diary with utmost circumspection.

6. Taking into consideration the quantity of liquor alleged to have been seized i.e. 31 liters; the applicant has two criminal cases, one registered in the year 2022 under Section 36(f)(1) of the Chhattisgarh Excise Act, which stands disposed of and fine was imposed upon him, and the other being purely of a preventive nature; the fact that the investigation is complete and the charge-sheet has already been filed, the applicant is in jail since 22.08.2026; and the fact that the trial is likely to take substantial time to culminate, without expressing any opinion on the merits of the case, this Court is inclined to release the applicant on regular bail. Accordingly, the application for grant of regular bail is **allowed**.

7. It is directed that in the event of the applicant executing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, he shall be released on bail, on following conditions :-

(i) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court,

(ii) he shall not act in any manner which will be prejudicial to fair and expeditious trial, and

(iii) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

8. The observation made hereinabove is for the purpose of deciding this bail application only, the trial Court shall decide the case on its own merits.

Sd/-

Rakesh Mohan Pandey
JUDGE

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