



CGHC010413202026

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9918 of 2026

1 - Hori Lal Sahu S/o. Shri Domar Ram Sahu Aged About 36 Years R/o Village Kutena, Thana Panduka, District Gariaband (C.G.)

... Applicant

versus

1 - State Of Chhattisgarh Through Police Station Panduka, District Gariaband (C.G.)

--- Non-applicant

For Applicant	:	Mr. Pragalbha Sharma, Advocate
For Non-applicant	:	Ms. Laxmeen Kashyap, PL

Hon'ble Shri Justice Rakesh Mohan Pandey

Order On Board

16.10.2026

- 1) The applicant has preferred this First Bail Application under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, he has been arrested in connection with Crime No.68/2026 registered at Police Station-Panduka, Gariaband (C.G.) for the offence under Section 34(2) of the Chhattisgarh Excise Act.
- 2) Case of the prosecution, in brief, is that police of Police Station Panduka, Gariaband has received a secret information from the informant and on the basis of said information, raid was conducted and

seized 7.020 bulk litre of country-made liquor from the possession of the present applicant. Thereafter, the aforesaid case was registered against the present applicant.

- 3)** Learned counsel for the applicant submits that the present applicant has falsely been implicated in the case and the alleged 7.020 bulk litre of country-made liquor was not seized from the exclusive possession of the applicant. With regard to the nine criminal antecedents, he would submit that three criminal cases under the Excise Act are pending, whereas six cases have been disposed of. He would further contend that the applicant is in jail since 22.06.2026; the charge-sheet has already been filed; and the conclusion of the trial is likely to take a considerable period of time. Therefore, he prays for grant of regular bail to the applicant.
- 4)** On the other hand, learned counsel for the State opposes the bail application and submits that the charge-sheet has been filed in the present case before the competent Court. She would contend that the applicant has a total of nine criminal antecedents and the cases under the Excise Act are still pending consideration. She would further contend that, if the applicant is granted bail, he may again indulge in the same offence; therefore, his application deserves to be rejected.
- 5)** I have heard learned counsel appearing for the parties and perused the case diary.
- 6)** Admittedly, 7.020 bulk litre of country-made liquor was seized from the exclusive possession of the present applicant but at the same time, the applicant has a history of 9 criminal antecedents.
- 7)** In the present bail application, the applicant has disclosed nine criminal antecedents, out of which three cases under the Excise Act

are pending, while the remaining six cases have been disposed of. Nonetheless, the primary objectives of examining an accused person's criminal antecedents during bail proceedings are:

- (i) To assess the likelihood of compliance with bail conditions and ensure the accused will not flee or jump bail;
- (ii) To determine whether there is a habitual pattern of committing similar or grave offenses; and
- (iii) To evaluate the risk of evidence tampering, obstruction of the ongoing investigation, or witness intimidation.

The existence of three pending criminal antecedents of an identical nature underscores a persistent pattern of offending, raising a grave apprehension of offense repetition if he is enlarged on bail.

- 8)** Considering the criminal antecedents of the applicant, particularly that three cases under the Excise Act are pending against him, there is an apprehension that, if released on bail, he may again indulge in the illegal transportation and sale of liquor. Therefore, I am not inclined to grant bail to the present applicant. Accordingly, the bail application is **rejected**.
- 9)** The observation made hereinabove is for the purpose of deciding this bail application only, the learned trial Court shall decide the case on its own merits.

Sd/-

(Rakesh Mohan Pandey)
JUDGE