CGHC010328512026 2026:CGHC:43156

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 7843 of 2026

Sahdev Kawachi S/o Late Shri Jogi Ram Kawachi, Aged About 35 Years R/o Village Budaldand, P.S. Partapur, District- North Bastar Kanker (C.G.)

... Applicant(s)

versus

KUNAL DEWANGAN

Digitally signed by KUNAL DEWANGAN

State Of Chhattisgarh Through The Station House Officer, Police Station Partapur, District- North Bastar Kanker (C.G.)

... Non-Applicant(s)

For Applicant	:	Mr. Rajendra Patel, Advocate.
For Non-Applicant/State	:	Ms. Sameeksha Gupta, Panel Lawyer

Hon'ble Mr. Rakesh Mohan Pandey, Judge

Order on Board

06/10/2026

1. This is the first bail application filed by the applicant under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking regular bail, who has been arrested in connection with Crime No.15/2026 registered at Police Station Partapur, District North Bastar, Kanker, (C.G.), for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.

2. The prosecution case, in brief, is that on 03.08.2026, while patrolling, the Police of Police Station Partapur, District North

Bastar, Kanker, Chhattisgarh, received secret information from an informant that the applicant had allegedly kept illicit liquor in the garden situated adjacent to his grocery shop for the purpose of sale. Acting upon the said information, a raid was conducted, during which a total quantity of 19 bulk litres of handmade Mahua liquor was allegedly seized from a white-coloured plastic jerry can of 20-litre capacity. Accordingly, the FIR was registered and the applicant was arrested for commission of the aforesaid offence.

3. Learned counsel for the applicant would submit that the applicant is innocent and has been falsely implicated in the present case, as the alleged illicit liquor was seized from an open place and not from his conscious possession. He would further submit that the charge-sheet has already been filed before the competent Court and the applicant has no criminal antecedents and he is in custody since 03.08.2026. He would also submit that the conclusion of the trial is likely to take some time therefore, he prays for grant of bail to the applicant.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that 19 bulk litres of handmade Mahua liquor was allegedly seized from the possession of the applicant. She would further submit that although the charge-sheet has already been filed before the competent Court and the applicant has no criminal antecedents but looking to the quantity of liquor seized, the applicant is not entitled to grant of bail.

5. I have heard learned counsel for the parties and perused the case

diary as well as the other material available on record.

6. Taking into consideration the facts and circumstances of the case, nature and gravity of allegations alleged against the applicant, the applicant has no criminal antecedents, the quantity of liquor seized from his possession, the fact that the charge-sheet has been filed before the competent Court, the period of incarceration since 03.08.2026 and the fact that the conclusion of the trial is likely to take some time, I am inclined to grant regular bail to the applicant.

7. Accordingly, the bail application of the applicant is **allowed**. 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 the 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, &

(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.

Sd/-
(Rakesh Mohan Pandey)
Judge

Kunal