CGHC010328582026 2026:CGHC:43153

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 7845 of 2026

Navesh Kumar Tiwari @ Mant Tiwari (Manta) S/o Devendru Singh Aged About 53 Years R/o House No. 121/3, Village Manpur, Police Station Manpur, Distt. Mohla Manpur Ambagarh Chowki Chhattisgarh (Applicant Detail Is Not Mentioned In Impugned Order Sheet)

... Applicant(s)

KUNAL DEWANGAN

Digitally signed by KUNAL DEWANGAN

versus

State Of Chhattisgarh Through Station House Officer, Police Station Kodekurse, District North Bastar Kanker Chhattisgarh

... Non-Applicant(s)

For Applicant	:	Mr. C.R. Sahu, Advocate.
For Non-Applicant/State	:	Mr. Sourabh Sahu, 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.06/2026 registered at Police Station Kodekurse, District North Bastar Kanker, Chhattisgarh, for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.

2. The prosecution case, in brief, is that the applicant allegedly

supplied 775 quarter bottles of foreign liquor, namely, Goa liquor bearing the inscription “For Sale in Madhya Pradesh Only”, totalling 139.5 litres and valued at Rs.90,675/-, along with 147 beer cans of 500 ml each, totalling 73.5 litres and valued at Rs.17,787/-, in all 213 litres of liquor valued at Rs.1,08,462/-, to co-accused Tukeshwar Jain for the purpose of sale. It is alleged that co-accused Tukeshwar Jain kept the said liquor in his possession in his agricultural field and was selling the same in the locality. It is further alleged that the memorandum statement of the applicant discloses that he had supplied illicit Goa liquor and cane beer to co-accused Tukeshwar Jain and other persons for the purpose of sale. Thereafter, the concerned police registered the case against the applicant along with co-accused.

3. Learned counsel for the applicant would submit that the applicant is innocent and has been falsely implicated in the present case. He would submit that the applicant was not found in possession of any illicit liquor and there was no exclusive possession of the seized liquor with the applicant. It is further submitted that the seized liquor was found in the possession of co-accused Tukeshwar Jain and the applicant has been implicated only on the basis of his memorandum statement. Learned counsel would further submit that the applicant is in jail since 28.07.2026 and has only one criminal antecedent of similar nature which has been explained in the bail application of part -D criminal antecedents and the conclusion of the trial is likely to take some time therefore, he prays for grant of bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that a huge quantity of 213 litres of illicit liquor, valued at Rs.1,08,462/-, was allegedly supplied by the applicant to co-accused Tukeshwar Jain for the purpose of illegal sale. It is further submitted that the memorandum statement of the applicant prima facie discloses his involvement in supplying illicit liquor to different persons for the purpose of sale. He would further submit that the applicant has two criminal antecedents under the the Excise Act, one of the year 2009 and another of the year 2014. Therefore, looking to the nature of allegations, quantity of liquor involved and criminal antecedents of the applicant, the applicant is not entitled to grant of bail.

5. I have heard learned counsel for the parties and perused the case diary and other material available on record.

6. Considering the facts and circumstances of the case, nature and gravity of the allegations levelled against the applicant, quantity of liquor allegedly involved in the present case, the fact that the alleged liquor was recovered from the possession of co-accused Tukeshwar Jain and not from the physical possession of the applicant, the fact that the applicant is in custody since 28.07.2026, and further considering the criminal antecedents of the applicant and the conclusion of the trial is likely to take some time, thus without further commenting upon the merits of the case, 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