NIRMALA
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CGHC010332042026 2026:CGHC:43432

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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8294 of 2026

1 - Shivbhagat Diwakar S/o Late Ramsingh Diwakar, Aged About 19 Years R/o Village Ward, No. 04, Tanoud, P. S. Shivrinarayan District Janjgir Champa, C.G.

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through- P. S. Excise, Circle, Shivrinarayan District Janjgir Champa. C.G.

... Respondent(s)

For Applicant	:	Shri Kamlesh Patel, Advocate.
For Non-Applicant/State	:	Ms. Smriti Shrivastava, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

7.10.2026

1) This is the first bail application filed under under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.113 of 2026 registered at Police Station Excise Circle Shivrinarayan, District Janjgir-Champa, Chhattisgarh for the offence punishable under Section 34(2) of the Excise Act.

2) Case of the prosecution, in brief is that the police of Police Station Excise Circle Shivrinarayan, District Janjgir-Champa, Chhattisgarh,

received information from the informant and, on the basis of the said information, conducted a raid and seized 6.6 litres of raw mahua liquor from the possession of the present applicant. Thereafter, the police registered the aforesaid offence against the present applicant.

3) Learned counsel for the applicant would argue that the applicant has falsely been implicated in this case. He further submits that 6.6 litres of raw mahua liquor was allegedly seized from the possession of the present applicant and that the applicant has one criminal antecedent of a similar nature registered in the year 2025. He is in jail since 28.7.2026, and the trial is likely to take some time to conclude. Therefore, he prays for grant of regular bail to the present applicant.

4) On the other hand, learned State counsel opposes the bail application and submits that the charge-sheet has already been filed before the competent Court. He further submits that 6.6 litres of raw mahua liquor was seized from the possession of the present applicant; therefore, he is not entitled to grant of regular bail.

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

6) Taking into consideration the facts and circumstances of the case, the nature and gravity of the allegations levelled against the applicant, the fact that one criminal antecedent was registered against the applicant under the Excise Act, and further considering that the charge-sheet has been filed, the applicant has been in jail since 28.7.2026, and the conclusion of the trial is likely to take some time, I am inclined to grant regular bail to the present applicant.

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 the following conditions:-

(a) he shall make himself available for interrogation by the police officer as and when required;

(b) 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; and

(c) he shall not act in any manner which will be prejudicial to a fair and expeditious trial.

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

Nimmi