CGHC010341332026

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Date: 2026.10.15 11:24:50 +0530

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8172 of 2026

1 - Sudesh Vastrakar S/o Shri Durga Vastrakar Aged About 34 Years R/o Village - Harnadadar Douhani Bhatha, Thana And Tehsil - Bagbahra, District - Mahasamund Chhattisgarh

... Applicant

versus

1 - State Of Chhattisgarh Through The Excise Officer, Excise Circle Bagbahra, District Mahasamund Chhattisgarh

... Non-applicant

For Applicant	**:**	Mr. Sunil Sahu, Advocate
For Non-applicant /State	**:**	Ms. Priya Shukla, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

14/10/2026

1. The applicant has preferred this first bail application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail as he has been arrested in connection with Crime No. 62/2026 registered at Police Station Excise Circle

Bagbahra, District Mahasamund (C.G.) for the offence punishable under Sections 34(1)(a)(f), 34(2) and 59(A) of Chhattisgarh Excise Act, 1915 (hereinafter, “the Excise Act”).

2. Case of the prosecution, in brief, is that as per the information received from an informer, police conducted a raid and seized 20 bulk liters of country made liquor and 480 kgs of mahua lahan from the house of the applicant and thereafter, registered the aforesaid offence against the present applicant.

3. Mr. Sunil Sahu, learned counsel appearing for the applicant, would submit that the applicant has falsely been implicated in the present case and he is innocent. He would further submit that the applicant has one live criminal antecedent of similar nature, however, he is on bail in that case. He would further contend that the applicant is in jail since 04/08/2026, the charge-sheet has already been filed, and the trial is likely to take considerable time to conclude, therefore, the applicant be enlarged on regular bail.

4. On the other hand, Ms. Priya Sharma, learned counsel for the non-applicant/State, would oppose the bail application and submit that the charge-sheet has already been filed before the competent Court. She would further submit that 20 liters of country made liquor was seized from the house of the present applicant, and he has one live criminal antecedent of similar nature, therefore, the applicant is not entitled to grant of regular bail.

5. I have heard learned counsel 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, and the fact that the 20 litres of country made liquor has been seized from the house of the applicant and though there is one live criminal antecedent of similar nature pending against the applicant but the applicant has been granted bail in that case and lastly considering that the charge-sheet has already been filed, the applicant is in jail since 04/08/2026, and conclusion of trial is likely to take some time, without commenting on the merits of the matter, this Court is inclined to grant regular bail to the applicant. Accordingly, the bail application 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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