CGHC010362302026 2026:CGHC:45351

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8759 of 2026

Fagulal Thuriya, S/o Shri Jageshwar Thuriya, Aged About 26 Years R/o Village Shantinagar Kanakbeera, Police Station Kanakbeera, Tahsil-Sarangarh, District Sarangarh - Bilaigarh (C.G.)

... Applicant

versus

State Of Chhattisgarh Through The Station House Officer, Police Station Saraipali, Distt. Mahasamund (C.G.)

... Respondent(s)

For Applicant	**:**	Shri Sumit Shrivastava, Advocate
For Respondent(s)	**:**	Ms. Ritika Verma, Panel Lawyer

Hon’ble Shri Justice Rakesh Mohan Pandey

Order on Board

27/10/2026

1. This is the first bail application filed 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. 170/2026 registered at Police Station Saraipali, District Mahasamund (C.G.) for the offence punishable under Sections 34(2) of the Chhattisgarh Excise Act. The applicant is in custody since 17.05.2026.

2. Case of the prosecution, in brief, is that on 17.05.2026, officer of Police Station- Saraipali, District- Mahasamund (C.G.) received a secret information from the informant with the averment that one person transported a huge quantity of illicit liquor, so on the basis of secret information thana police has conducted raid and intercepted the applicant's Maruti vehicle bearing registration no. CG 04 HA 3326 near Electricity office, 132 KV Darrabhata, Saraipali. Upon search, 15 plastic drums containing 450 litres of country made Mahua liquor, valued at Rs. 90,000/- were allegedly found in his possession. As the applicant could not produce any valid licence or document for possession of the said liquor, the same was seized and a case was registered against him under Section 34(2) of the C.G. Excise Act.

3. Learned counsel for the applicant submits that that applicant is innocent and has been falsely implicated in the case. It is further submitted that the applicant has six criminal antecedents of similar nature and in all those cases, the applicant has been aquitted, the investigation has been completed and the charge-sheet has already been filed, he has been languishing in custody since 17.05.2026, and the conclusion of the trial is likely to take considerable time; thus, the applicant may be enlarged on regular

bail.

4. On the other hand, learned counsel appearing for the State opposes the bail application and submits that 450 bulk litres of country-made liquor was seized from the possession of the applicant; thus, applicant may not be granted bail.

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

6. Considering the facts and circumstances of the case, the nature and gravity of the offence, the quantity of liquor seized, further considering the period of pre-trial detention of the applicant since 17.05.2026 and that the conclusion of trial will take some time, without expressing any opinion on the merits of the case, this Court is inclined to release the applicant on bail.

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

Madhurima