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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9026 of 2026

- Prakash Sahu S/o Narad Ram Sahu Aged About 45 Years R/o Village Bhakhara, Guru Ghasidas Ward No. 08, P.S. And Tehsil Bhakhara, Distt. Dhamtari, Chhattisgarh.

... Applicant

versus

- State Of Chhattisgarh Through Station House Officer, P.S. Bhakhara, Distt. Dhamtari, Chhattisgarh.

... Non-applicant

For Applicant	:	Mr. S.P. Sannat, Advocate
For Non-Applicant	:	Ms. Monika Thakur, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

12.10.2026

1. This is the first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 108/2026 registered at Police Station : Bhakhara, District : Dhamtari (C.G.), for the offence punishable under Sections 34(2) of the C.G. Excise Act.

2. Case of the prosecution, in brief, is that police of Police Station Bhakhara received secret information from the informant and on

the basis of said information, raid was conducted wherein 19.8 litre of country made liquor was seized from the possession of the present applicant. Thereafter, the aforesaid case was registered against the present applicant.

3. Learned Counsel for the applicant submits that the present applicant has falsely been implicated in this case and the said 19.8 litre of country made liquor was not seized from the exclusive possession of the applicant. He further submits applicant has 07 previous criminal antecedent wherein he has been acquitted and the said antecedents have been duly explained in Part-D (Criminal Antecedents) of the present bail application. He also submits that under Section 34(2) of the C.G. Excise Act, minimum punishment is one year and maximum punishment is three years and the present applicant has been in jail since 03.09.2026, conclusion of the trial is likely to take quite long time. Therefore, he prays for grant of regular bail to the applicant.

4. On the other hand, learned counsel for the State, opposes the bail application and submits that the charge-sheet has been filed in the present case before the competent Court. She also submits applicant has 07 previous criminal antecedents, therefore he is not entitled for grant of regular bail in the present case.

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, nature and gravity of allegation levelled against the present applicant and the fact that the present applicant has no live criminal antecedent pending against him, moreover, the fact that the charge-sheet has been filed before the competent Court and he is in jail since 03.09.2026, conclusion of the trial may take some more time, this Court is of the view that the applicant is entitled to be released on bail in this case.

7. It is directed that in the event of the applicant executing a personal bond for a sum of **Rs. 50,000/-** 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

Ajinkya