CGHC010374842026 2026:CGHC:45367

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9033 of 2026

1 - Umendra Baghel S/o. Shri Santram Baghel, Aged About 27 Years R/o. Village - Bagdongari, Thana - Narharpur, Distt. - North Baster Kanker (C.G.)

2 - Rohit Dewangan S/o Shri Goverdhan Dewangan, Aged About 34 Years R/o. Village - Manglu Kachora (Durga Chowk), Thana - Jagdalpur, Distt. - Baster (C.G.)

... Applicants

Versus

The State Of Chhattisgarh Through Station House Officer, Police Station - Korar, Distt. - North Baster Kanker (C.G.)

... Respondent(s)

For Applicants	:	Mr. Sahil Sahu, Advocate
For Non-Applicant	:	Ms. Smriti Shrivastava, P.L.

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 Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicants who have been arrested in connection with

Crime No. 103/2026 registered at Police Station : Korar, District : North-Baster Kanker (C.G.) for the offence punishable under Sections 34 (2) of C.G. Excise Act and Section 112 of BNS 2023.

2. That the prosecution story, in brief, is that on 06.09.2026, the police of Police Station Korar received secret information from an informant alleging that three persons were transporting liquor from Bhanupratappur to Korar in a Maruti Swift Dzire car bearing registration No. CG-05-M-7788. Acting upon the said information, the police constituted a search team and intercepted the vehicle on the Tetapara–Chilhati main road. The police inquired about the identities of the persons seated in the vehicle and conducted a search thereof. During the search, the police allegedly seized 17 boxes of Simba Extra Strong Beer, measuring 54.600 bulk litres; 8 boxes of Jammu Special Whisky, measuring 69.120 bulk litres; and 1 box of Imperial Blue Whisky, measuring 8.640 bulk litres, making a total quantity of 132.360 bulk litres of foreign liquor valued at Rs. 73,320/-. Further, during the personal search of the accused persons, namely Prem Kumar Sinha and Rohit Dewangan, cash amounting to Rs. 25,000/-, one Oppo mobile phone, and one Samsung mobile phone were allegedly seized. Thereafter, notices under Section 94 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), were issued to the accused persons directing them to produce documents relating to the lawful possession of the liquor. However, the accused persons allegedly failed to produce any valid permit or licence.

Consequently, the police arrested the applicants. Furthermore, considering the fact that another case of a similar nature had been registered at Police Station Bhanupratappur, Section 112 of the Bharatiya Nyaya Sanhita, 2023 (BNS), was also added to the case.

3. Learned counsel for the applicants submits that 32.36 bulk litres of illicit liquor were seized from the exclusive possession of the applicants on 06.09.2026 and that the applicants were arrested by the police on the same date. He further submits that, subsequent to their arrest, another crime number for the alleged commission of an offence under Section 34(2) of the Chhattisgarh Excise Act was registered on 09.09.2026. Therefore, he prays for the grant of regular bail to the applicants.

4. On the other hand, learned State counsel opposes the bail application and submits that the applicants have one criminal antecedent and, therefore, are not entitled to be released on regular bail.

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

6. Having considered the quantity of liquor seized, the period of detention of the applicants, and the fact that the criminal antecedent relied upon by the prosecution pertains to a case registered after the arrest of the applicants, who have been in judicial custody since 06.09.2026, I am of the opinion that the applicants are entitled to be released on bail in the present case.

7. It is directed that in the event of the applicants 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

Saurabh