CGHC010380402026

2026:CGHC:43372

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9467 of 2026

Sukhchand Sahu Son Of Mulak Ram, Aged About 43 Years Resident Of Gond Mohalla, Ayodhyapuri, Police Station - Darri, Tehsil -Darri, District Korba (C.G.)

... Applicant

versus

State Of Chhattisgarh Through The Police Station -Darri, District Korba (C.G.)

... Non-Applicant

For Applicant	**:**	Mr. Aakash Aahuja, Advocate
For Non-Applicant	**:**	Ms. Laxmeen Kashyap, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

07/10/2026

1. This is the second bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 195/2026, registered at Police Station Darri, District Korba (C.G.), for the offences punishable under Sections 34(1)(A) and 34(2) of the Chhattisgarh Excise Act, 1915.
2. The applicant's first bail application was dismissed as withdrawn vide order dated 18.09.2026 passed in MCRC No. 8694 of 2026.
3. The case of the prosecution, in brief, is that on the basis of secret information, the police seized 7.2 bulk liters of illicit country-made

liquor from the possession of the applicant without any lawful permit or authority, pursuant to which the present crime was registered and applicant was arrested.

4. Learned counsel for the applicant would submit that the applicant is innocent and has falsely been implicated in the alleged crime. He would further submit that though there are ten criminal antecedents against the applicant, only two cases, i.e. Crime Nos. 412/2022 and 171/2023, registered under the Excise Act, are presently pending. He would contend that the investigation is complete, the charge-sheet has already been filed, the applicant is in judicial custody since 16.06.2026, and conclusion of the trial is likely to take some time, therefore, the applicant may be released on regular bail.
5. On the other hand, learned State counsel would oppose the bail application and submit that the applicant is a habitual offender with ten criminal antecedents registered at P.S. Darri, Korba, and thus, he may not be enlarged on bail.
6. Heard learned counsel for the parties and perused the case diary.
7. Considering the totality of the facts and circumstances of the case, particularly; the seized quantity of illicit liquor is 7.2 bulk liters; out of ten criminal antecedents cited by the State, the applicant has been acquitted in three cases, four cases were closed upon payment of fine, and only two cases under the Excise Act registered in the years 2022 and 2023 remain pending trial; the charge-sheet has already been submitted before the competent court; the applicant has been languishing in jail since 16.06.2026, this Court, without expressing any opinion on the merits of the case, is inclined to release the applicant on regular bail. Accordingly, the application is **allowed**.
8. 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.

9. 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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