CGHC010381912026 2026:CGHC:44259

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9148 of 2026

1 - Gajendra Nishad S/o Ramadhar Nishad Aged About 27 Years R/o Village Baruka, Police Station Gariyaband, Distt. Gariyaband Chhattisgarh

... Applicant

versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station Gariyaband, District Gariyaband Chhattisgarh

... Non-applicant

For Applicant	:	Mr. C.R. Sahu, Advocate
For Non-applicant /State	:	Mr. Vivek Sharma, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

13/10/2026

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. 220/2026 registered at Police Station Gariyaband,

District Gariyaband (C.G.) for the offence punishable under Section 34(2) of Chhattisgarh Excise Act, 1915 (hereinafter, “the Excise Act”).

2. Case of the prosecution, in brief, is that recovery of 6 bulk liters of country made liquor was made from the possession of the present applicant and thereafter, police registered the aforesaid offence against him.

3. Mr. C.R. 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 registered in the year 2025. He would further contend that the applicant is in jail since 07/09/2026, 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, Mr. Vivek 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. He would further submit that 6 liters of country made liquor was seized from the possession of the present applicant, and he has one live criminal antecedent of the 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 6 litres of country made liquor has been seized from the possession of the applicant and though there is one live criminal antecedent of the applicant of similar nature registered in the year 2025 but considering that the charge-sheet has already been filed, the applicant is in jail since 07/09/2026, and conclusion of trial is likely to take some time, 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

Harneet