CGHC010382392026 2026:CGHC:44553

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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9118 of 2026

*** -** Kanhaiya Lal Sarthi Urf Suklal Sarthi S/o Late Puran Singh Sarthi, Aged About 48 Years R/o Dhanagar, P.S. Kotraroad, Tahsil And District Raigarh, C.G.

... Applicant

Versus

*** -** State Of Chhattisgarh Through P.S. Kotraroad, Tahsil And District Raigarh C.G.

... Non-Applicant

For Applicant	:	Mr. Hemant Gupta, Advocate
For Non-Applicant	:	Ms. Priya Sharma, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey
Order on Board

14/10/2026

1. The applicant has preferred this second bail application under Section 483 of Bharatiya Nagrik Suraksha Sanhita, 2023 as he is in jail since 16.08.2026 in connection with Crime No. 289/2026 registered in Police Station – Kotraroad, District Raigarh, (CG) for commission of offence punishable under Sections 34(2) & 59(A) of CG Excise Act.
2. Earlier bail application of the applicant was dismissed for want of prosecution vide order dated 22.09.2026 in MCRC No. 8877/2026.
3. Case of the prosecution, in brief, is that the applicant was found in possession of 100 bulk liters of illicit hand made mahuwa liquor without having valid license and accordingly, the offence has been registered against the applicant and he was arrested on 16.08.2026.

4. Learned counsel for the applicant would contend that the applicant is innocent and he has been falsely implicated. He would also submit that liquor has not been seized from exclusive possession of applicant. He would contend that the applicant has one criminal antecedent. He would submit that the applicant is languishing in jail since 16.08.2026 and charge-sheet has already been filed, therefore, he may be released on regular bail.

5. On the other hand, the learned State counsel opposed the bail application of present applicant. She would submit that the applicant has one criminal antecedent which was registered in the year 2018. She contends that the charge-sheet has been filed.

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

7. Taking into consideration the facts and circumstances of the case, the quantity of liquor seized from the applicant, there is stale criminal record of the applicant which was registered in the year 2018, charge-sheet has already been filed and he is in jail from 16.08.2026, I am inclined to grant regular bail to the present applicant. Accordingly, the instant bail application of the applicant 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 the 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/her from disclosing such fact to the Court;

II. He shall not act in any manner which will be prejudicial to a fair and expeditious trial;

III. He shall appear before the trial Court on each and every date given to him by the said Court till the disposal of the trial; and,

IV. He shall not involve himself in any offence of a similar nature in future.

9. The observation made in the course of this order is only for considering the case of the applicant on the application for the grant of regular bail. The concerned trial Court shall not be influenced or bound by any observation made in the course of this order.

10. Certified copy as per rules.

Sd/-
(Rakesh Mohan Pandey)
Judge

vatti