CGHC010386232026 2026:CGHC:45164

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9401 of 2026

Sunita Nirala W/o Sukhiram Nirala Aged About 45 Years R/o Village Lendhra Chhote, Police Station Kosir, Distt- Sarangarh- Bilaigarh (C.G.)

... Applicant

versus

State Of Chhattisgarh Through The Station House Officer, Police Station Kosir, Distt- Sarangarh- Bilaigarh (C.G.)

... Respondent(s)

For Applicant	**:**	Shri Vikram Pratap, Advocate
For Respondent(s)	**:**	Shri Akash Agrawal, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

26/10/2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail

to the applicant who has been arrested in connection with Crime No. 115/2026 registered at Police Station Kosir, District Sarangarh Bilaigarh (C.G.) for the offence punishable under Sections 34(2) and 59(A) of the Chhattisgarh Excise Act, 1915. The applicant is in custody since 20.08.2026.

2. Case of the prosecution, in brief, is that on 20.08.2026, the police of Police Station- Kosir District Sarangarh Bilaigarh, C.G. while on routine patrolling, received some secret information and acting upon secret information, the police reached the house of the present applicant and other co-accused person namely Sandeep Nirala after searching the house area total 25 bulk litres of liquor, were seized from the possession of the present applicant and other co-accused. Thereafter, the police registered crime bearing no. 115/2026 under aforesaid sections and arrested the applicant and other co-accused persons.

3. Learned counsel for the applicant submits that that applicant is innocent and has been falsely implicated in the case. It is further submitted that the applicant has no criminal antecedents, the investigation has been completed and the charge-sheet has already been filed, he has been languishing in custody since 20.08.2026, and the conclusion of the trial is likely to take considerable time; thus, the applicant may be enlarged on regular bail.

4. On the other hand, learned counsel appearing for the State opposes the bail application and submits that 25 bulk litres of

country-made liquor was seized from the joint possession of the applicant and the co- accused persons; thus, applicant may not be granted bail.

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

6. Considering the facts and circumstances of the case, the nature and gravity of the offence, the quantity of liquor seized, and the fact that the applicant has no previous criminal antecedents of a similar nature under the Excise Act; further considering the period of pre-trial detention of the applicant since 20.08.2026 and that the conclusion of trial will take some time, without expressing any opinion on the merits of the case, this Court is inclined to release the applicant on bail.

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

Madhurima