CGHC010388012026 2026:CGHC:46058

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9759 of 2026

1 - Ajay Kumar Sahu S/o Pardeshi Sahu Aged About 25 Years R/o Village Lawan, P.S. Lawan, Distt. Balodabazar Bhatapara, Chhattisgarh.

... Applicant(s)

versus

1 - State Of Chhattisgarh Through Excise Circle Balodabazar, Distt. Balodabazar Bhatapara, Chhattisgarh. ...**Non-applicant**

For Applicant	**:**	Ms. Deeksha Pandey, Advocate
For Non-applicant	**:**	Ms. Smriti Shrivastava, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

30/10/2026

1. The applicant has preferred this First Bail Application under Section 483 of the BNSS, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 73/2026, registered at Police Station Excise Circle Balodabazar, District Balodabazar-Bhatapara Chhattisgarh for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.

2. The case of the prosecution, in brief, is that the officers of Police Station concerned received a secret information from the informant and on the basis of the said information conducted a raid and seized 10.080 bulk liters of country made liquor from the possession of the applicant thereafter, Police has registered an aforesaid offence against the present applicant.

3. Learned counsel appearing for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He fairly submits that the applicant has 9 criminal antecedents, out of which 8 cases registered under Section 36(C) of the Excise Act have already been disposed of, whereas one case registered under the provisions of the BNS is pending consideration. Learned counsel further submits that the applicant is in jail since 14.09.2026, the charge-sheet has already been filed, and the trial is likely to take considerable time to conclude. He, therefore, prays that the applicant may be enlarged on regular bail.

4. On the other hand, the learned State counsel would oppose the bail application and submit that the applicant has several criminal antecedents, including one case registered under the provisions of the BNS, which is still pending consideration. She further submits that the applicant is involved in repeated criminal activities. She would further submit that 10.080 bulk liters of country made liquor was seized from the possession of the present applicant, therefore, he is not entitled to grant of regular bail.

5. I have heard the 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 considering the fact that particularly the fact that out of 9 criminal antecedents of the applicant, 8 cases registered under the Excise Act have already been disposed of, whereas only one case registered under the provisions of the BNS is pending consideration, the quantity of liquor seized, and further considering the fact that the applicant is in jail since

14.09.2026, and the trial is likely to take some time to conclude, 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, she shall be released on bail, on following conditions :-

(I) she 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) she shall not act in any manner which will be prejudicial to fair and expeditious trial, and

(iii) she shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

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

Jyoti