CGHC010390212026 2026:CGHC:46473

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9668 of 2026

- Nilesh Kumar Khare S/o Santosh Khare, Aged About 25 Years R/o Nahar Para Seepat, Police Station Seepat, District Bilaspur, C.G.

... Applicant

versus

- State Of Chhattisgarh Through - Circle Inspector, Excise Circle Seepat, District Bilaspur, C.G.

... Non-applicant

For Applicant	:	Mr. Shashank Upadhyay, Advocate
For Non-Applicant	:	Ms. Smriti Shrivastava, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

03.11.2026

1. This is the first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 14/2026 registered at Excise Circle : Seepat, District : Bilaspur (C.G.), for the offence punishable under Sections 34(1)(A), 34(2) and 59(A) of the C.G. Excise Act.

2. Case of the prosecution, in brief, is that Excise Circle : Seepat received secret information from the informant and on the basis of said information, raid was conducted wherein 160 of country made liquor was seized from the possession of the present applicant. Thereafter, the aforesaid case was registered against the present applicant.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and the alleged 160 bulk liters of handmade liquor was not seized from his exclusive possession. He further submits that although the applicant has two previous antecedents under the Excise Act pertaining to the years 2023 and 2024, one of those cases has already been disposed of, and both antecedents have been duly explained in Part-D of the present bail application. It is also submitted that the applicant has been in judicial custody since 14.08.2026, and since the trial is likely to take considerable time to conclude, he prays for the grant of regular bail.

4. On the other hand, learned counsel for the State, opposes the bail application and submits that applicant is a habitual offender as he has 01 live criminal antecedent under the Excise Act which is pending consideration before the competent criminal court, therefore he is not entitled for grant of regular bail in the present case.

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

6. In the present bail application, the applicant has disclosed two criminal antecedents of a similar nature pertaining to the years 2023 and 2024, pointing out that one of the cases has already been disposed of. Considering that the charge-sheet has been filed, the applicant has been in judicial custody since 14.08.2026, and the trial is likely to take time to conclude, this Court deems it appropriate to grant bail to the applicant at this stage

7. It is directed that in the event of the applicant executing a personal bond for a sum of **Rs. 50,000/-** to the satisfaction of the concerned trial Court, he shall be released on bail on the following conditions:-

(a) he shall make himself available for interrogation by the police officer as and when required;
(b)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; and
(c) he shall not act in any manner which will be prejudicial to a fair and expeditious trial.

The observation made hereinabove is for the purpose of deciding this bail application only, the learned trial Court shall decide the case on its own merits.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

Ajinkya