CGHC010393392026

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9929 of 2026

1 - Devsharan S/o Shri Bugalu, Aged About 25 Years R/o Ward No. 10, Khopali, Ghunchapali, Thana And Tahsil - Bagbahra, District Mahasamund (C.G.)

... Applicant

versus

1 - The State Of Chhattisgarh Through Excise Officer Of Excise Circle - Mahasamund, Distt. Mahasamund (C.G.)

... Respondent(s)

For Applicant	**:**	Shri Sahil Sahu, Advocate
For Respondent(s)	**:**	Shri Sourabh Sahu, Panel Lawyer

Hon’ble Shri Justice Rakesh Mohan Pandey

Order on Board

05/11/2026

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. 68/2026 registered at Police Station Excise Circle Mahasamund, District Mahasamund (C.G.) for the offence punishable under Sections 34(1)(A), 34(2), 59(A) of Excise Act. The applicant is in custody since 19.09.2026.

2. Case of the prosecution, in brief, is that on 18.07.2026, the Excise Officers of Excise Circle Mahasamund, District Mahasamund received secret information with the averment that one person transported the liquor through Scooty bearing registration no. CG 06 HB 6129. Acting upon the said information, the officers have conducted a raid, whereupon the person allegedly transporting the liquor abandoned the Scooty and fled from the spot. Upon search of a sack kept on the Scooty, 36.72 bulk litres of country-made plain liquor were allegedly seized alongwith the said Scooty. Thereafter, notice was issued to the registered owner of the Scooty, who stated that the vehicle had been taken by the present applicant for his personal work. On the basis of said statement, the present applicant was implicated in the offence and subsequently arrested.

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 one live criminal antecedents but there is no criminal history of the similar nature, the investigation has been completed and the charge-sheet has already been filed,

he has been languishing in custody since 19.09.2026, 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 36.72 bulk litres of country-made liquor was seized from the sack kept on the scooty registered in the name of the applicant; 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, further considering the period of pre-trial detention of the applicant since 19.09.2026 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