CGHC010393772026 2026:CGHC:46804

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9797 of 2026

- Lalit Jaiswal Son Of Sahdev Jaiswal Aged About 31 Years Resident Of Village Bheemsendeeh, Police Station Sarangarh, District Sarangarh-Bilaigarh (C.G.)

... Applicant

versus

- State Of Chhattisgarh Through District Level Excise Flying Scot, District Sarangarh-Bilaigarh (C.G.)

... Non-Applicant

For Applicant : Mr. Rajendra Tripathi, Advocate
For State : Ms. Laxmin Kashyap, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

04.11.2026

1. This is the second 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. 05/2026 registered at Police Station District Level Excise Flying Scot, District Sarangarh-Bilaigarh (C.G.), for the offence punishable under Sections 34(1)(A), 34(2) & 59(A) of C.G. Excise Act.

2. Earlier, first bail application i.e. MCRC No. 7622 of 2026 was rejected for want of prosecution vide order dated 29.09.2026.

3. The case of the prosecution, in brief, is that the police of Police Station

District Level Excise Flying Scot, District Sarangarh-Bilaigarh received an information from the informant and on the basis of the said information conducted a raid and seized 30 bulk liters of country made mahua liquor from the possession of the present applicant. Thereafter, Police has registered an aforesaid offence against the present applicant.

4. Learned counsel for the applicant submits that the present applicant has falsely been implicated in this case and said 30 litres of country-made mahua liquor was not seized from exclusive possession of the applicant. He further submits that the applicant is in jail since 25.07.2026, charge-sheet has been filed and trial is likely to take some time to conclude. It is argued that the present applicant has three previous criminal antecedents, which were registered in the year 2024 and 2025. Out of said cases, one case has been disposed of and two cases are pending consideration. He would pray for the grant of bail to the present applicant.

5. On the other hand, learned counsel for the State would oppose the bail application and submits that charge-sheet has been filed in the present case before the competent Court. She further submits that applicant has three criminal antecedents and one case under the Excise Act, registered in the year 2025, is pending consideration, therefore, he is not entitled for grant of regular bail in the present case.

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

7. Having considered facts and circumstances of the case, nature and gravity of allegations levelled against the present applicant and fact that applicant has three criminal antecedents of the year 2024 and 2025, and no recent case of

the year 2026 is pending against him. Further, charge-sheet has already been filed before the competent Court, applicant is in jail since 25.07.2026 and looking to the quantity of liquor, i.e., 30 litres, without commenting anything on merits of the case, I am inclined to allow this bail application.

8. Accordingly, the regular bail application is allowed and 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 from disclosing such fact to the Court;

(ii) he shall not act in any manner which will be prejudicial to 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 disposal of the trial.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

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