CGHC010396942026 2026:CGHC:43975

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9622 of 2026

1 - Bhog Prasad Kosle @ Pintu S/o Ramesh Kosle Aged About 21 Years R/o Khainda, P.S. Balodabazar, Distt- Balodabazar- Bhatapara (C.G.)

... Applicant

REKHA SINGH Digitally signed by REKHA SINGH DN: cn=REKHA SINGH, ou=HIGH COURT, o=HIGH COURT OF CHHATTISGARH, st=Chhattisgarh, c=IN Date: 2026.10.12 14:23:45 +0530

versus

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

--- **Non-applicant**

For Applicant	**:**	Mr. Tanuj Patwardhan, Advocate
For Non-applicant	**:**	Ms. Sameeksha Gupta, PL

Hon’ble Shri Justice Rakesh Mohan Pandey

Order On Board

12.10.2026

1) The applicant has preferred this First Bail Application under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, he has been arrested in connection with Crime No.72/2026 registered at Police Station Excise Circle Balodabazar, District Balodabazar-Bhatapara (C.G.) for the offence under Section 34(2) of the Chhattisgarh Excise Act.

2) Case of the prosecution, in brief, is that police of Police Station Excise Circle Balodabazar has received a secret information from the informant and on the basis of said information, raid was conducted and seized 41.400 bulk litre of country-made liquor 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 present applicant has falsely been implicated in the case and the alleged 41.400 bulk litre of country-made liquor was not seized from the exclusive possession of the applicant. It is further submitted that one criminal case under the Excise Act is pending consideration, whereas another case registered under the BNS has been settled between the parties. At present, no similar criminal case is pending against the present applicant. He would contend that the applicant is in jail since 04.09.2026; the charge-sheet has already been filed; and the conclusion of the trial is likely to take a considerable period of time. Therefore, he prays for grant of regular bail to the applicant.

4) On the other hand, the learned State counsel would oppose the bail application and submit that the charge-sheet has already been filed before the competent Court. She would further submit that 41.400 bulk litre of country-made liquor was seized from the possession of the present applicant; therefore, he is not entitled to the grant of regular bail.

5) I have heard learned counsel appearing 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 offence, the fact that one criminal case under the Excise Act is pending consideration, whereas another case registered under the BNS has been settled between the parties and at present, no similar criminal case is pending against the present

applicant, and further considering the quantity of liquor seized from the possession of the present applicant, charge-sheet has been filed before the competent Court, the applicant is in jail since 04.09.2026, and the conclusion of the trial may take some more time, this Court is of the view that the applicant is entitled to be released on bail in this case. 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, 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.

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

Rekha