CGHC010398272026 2026:CGHC:46708

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9618 of 2026

Omprakash Baghmare S/o Dularwa Baghmare Aged About 28 Years R/o Village Pachri, Police Station Patewa, District Mahasamund Chhattisgarh.

... Applicant

versus

State Of Chhattisgarh Through Police Station Patewa, District Mahasamund Chhattisgarh.

... Non-Applicant

For Applicant	**:**	Mr. Virendra Kashyap, Advocate
For Non-Applicant/State	**:**	Mr. Sourabh Sahu, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

04/11/2026

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. 182/2026, registered at Police Station Patewa, District Mahasamund (C.G.), for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.

2. The prosecution case in brief is that on 27.09.2026, acting upon secret information regarding the illicit transportation of handmade Mahua liquor, the police team intercepted the applicant, Omprakash Baghmare, riding a motorcycle bearing registration No. CG-04-QK-4216 near Bajrang Mill, Village Chhindouli, traveling from Village Pachri

towards Village Jora. During the search, two plastic jerrycans containing 5 litres each (total 10 bulk litres) of handmade Mahua liquor, valued at approximately Rs. 3,000/-, were allegedly recovered from the motorcycle. The seized liquor and motorcycle were taken into custody, and the applicant was arrested on 27.09.2026.

3. Learned counsel for the applicant submits that the applicant is innocent and has falsely been implicated in the present crime. It is further submitted that out of the six criminal antecedents reported against the applicant, he has already been acquitted in five cases, and only one case under Section 34(2) of the Chhattisgarh Excise Act (registered in the year 2024) is currently pending trial. It is also contended that the investigation is complete, the charge-sheet has already been filed before the competent court, and the applicant has been in judicial custody since 27.09.2026. As the trial is likely to take some time to conclude, no fruitful purpose would be served by keeping him behind bars; thus, he may be enlarged on bail.

4. On the other hand, learned counsel appearing for the State opposes the bail application and submitted that the applicant was caught in illegal possession and transportation of illicit Mahua liquor and has a criminal background under the Excise Act. However, he does not dispute the submission that the charge-sheet has already been filed and that the applicant stands acquitted in five out of the six earlier cases.

5. Heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case, particularly the quantity of illicit liquor seized (10 bulk litres), the fact that the applicant has already earned acquittal in five previous cases with only one matter pending, that the charge-sheet has already been

filed and having regard to his pre-trial detention since 27.09.2026, this Court is inclined to release the applicant on regular bail. Accordingly, the 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 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

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