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KUNAL DEWANGAN

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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9806 of 2026

Mayashankar Gond S/o Mohan Gond Aged About 33 Years R/o Village Sabariya, Dera Rahaud Chowki, Rahaud P.S. Shivrinarayan District Janjgir Champa Chhattisgarh.

... Applicant(s)

versus

State Of Chhattisgarh Through - Station House Officer, S H O. P.S. Shivirinarayan District Janjgir Champa Chhattisgrh.

... Non-Applicant(s)

For Applicant	:	Ms. Mamta Mahilange, Advocate.
For Non-Applicant/State	:	Ms. Monika Thakur, Panel Lawyer

Hon'ble Mr. Rakesh Mohan Pandey, Judge

Order on Board

14/10/2026

1. The applicant has preferred this first bail application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail, as he has been arrested in connection with Crime No. 246/2026 registered at Police Station Shivrinarayan, District Janjgir-Champa (C.G.), for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.

2. The case of the prosecution, in brief, is that on 12.08.2026, upon receiving secret information that the applicant had kept illicit liquor

for selling purposes, the Head Constable of Police Station Shivrinarayan conducted a raid and allegedly seized 12 bulk litres of Mahua liquor from the possession of the applicant. On the basis of the aforesaid seizure, the offence in question was registered against him.

3. Learned counsel for the applicant would submit that the applicant is innocent and has been falsely implicated in the present case. She would further submit that the alleged liquor was not seized from the exclusive possession of the applicant and in the present case, charge-sheet has already been filed before the competent Court. So far as the criminal antecedents of the applicant are concerned, he has two previous cases under the Excise Act, of the years 2020 and 2023, out of which one has already been disposed of and another is still pending consideration. The applicant is in jail since 12.08.2026 and the conclusion of the trial is likely to take considerable time therefore, she prays for grant of regular bail to the applicant.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that the applicant has two previous criminal antecedents under the Excise Act, out of which one case is still pending consideration, which indicates that he is a habitual offender. She would further submit that, considering the quantity of liquor seized from the applicant, he is not entitled to be enlarged on bail.

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

6. Having considered the facts and circumstances of the case, nature and gravity of the allegations, the criminal antecedents of the applicant as disclosed in Part-D, out of which only one case of similar nature is pending consideration, the alleged seizure of 12 bulk litres of Mahua liquor, the fact that the charge-sheet has already been filed before the competent Court and the period of incarceration since 12.08.2026 and conclusion of the trial is likely to take some time, I am inclined to enlarge the applicant on bail.

7. Accordingly, the bail application of the applicant is **allowed**. 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

Kunal