CGHC010403712026

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9764 of 2026

1 - Manish Joshi S/o Late Dwarka Joshi Aged About 46 Years R/o Lal Bageecha, Dhamtari, District Dhamtari Chhattisgarh

... Applicant

versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali, Dhamtari District Dhamtari Chhattisgarh (Wrongly Mentioned As Kotwali In Cause Title) --- **Non-applicant**

For Applicant	:	Mr. Mayank Chandrakar, Advocate
For Non-applicant	:	Ms. Ritika Verma, PL

Hon'ble Shri Justice Rakesh Mohan Pandey

Order On Board

14.10.2026

1) This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 205/2026 registered at Police Station City Kotwali Dhamtari, District Dhamtari (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act. The applicant is in custody since 25.08.2026.

2) Case of the prosecution, in brief, is that a total of 67.14 bulk litres of illicit country-made liquor was seized by the police of City Kotwali Dhamtari from the joint possession of four accused persons, including the applicant, who were allegedly transporting the contraband on two separate motorcycles.

3) Learned counsel for the applicant submits that the applicant is innocent and has falsely been implicated in the crime. It is submitted that applicant has one criminal antecedent registered way back in the year 2020 under the Indian Penal Code and the applicant has no criminal antecedent of a similar nature under the Excise Act. It is further submitted that the applicant has been languishing in jail since 25.08.2026 and the conclusion of the trial is likely to take considerable time, therefore, 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 67.14 bulk litres of country-made liquor was seized from the joint possession of the applicant and the co-accused persons 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, and the fact that the applicant has one criminal antecedent registered way back in the year 2020 under the Indian Penal Code and the applicant has no criminal antecedent of a similar nature under the CG Excise Act; further considering the period of pre-trial detention of the applicant since 25.08.2026 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. 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 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