CGHC010403762026 2026:CGHC:46439

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9690 of 2026

- Santram Chauhan S/o Shri Kaitram Chauhan Aged About 45 Years R/o. Village- Tilaipali, Tahsil- Saraipali, District- Mahasamund (C.G.)

... Applicant

versus

- State Of Chhattisgarh Through The Station House Officer Of The Police Station- Saraipali, Distt. Mahasamund (C.G.)

... Non-Applicant

For Applicant : Mr. Sumit Shrivastva, Advocate
For State : Ms. Ritika Verma, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

03.11.2026

1. This is the first 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. 305/2026 registered at Police Station Saraipali, District Mahasamund (C.G.), for the offence punishable under Section 34(2) of C.G. Excise Act.

2. The case of the prosecution, in brief, is that the police of Police Station Saraipali, District Mahasamund received an information from the informant and on the basis of the said information conducted a raid and seized 55 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.

3. Learned counsel for the State would submit that case diary is not available. On last date of hearing i.e. on 30.10.2026, at the request of learned counsel for the State, case was adjourned for today as case diary was not available on said date. Today also, State counsel has no case diary.

4. Learned counsel for the applicant submits that the present applicant has falsely been implicated in this case and that said 55 litres of country-made mahua liquor was not seized from the exclusive possession of the applicant. He further submits that the applicant is in jail since 17.09.2026. It is argued that, as per his knowledge, applicant has no criminal antecedents. He prays for grant of bail to the present applicant.

5. On the other hand, learned counsel for the State would oppose the bail application.

6. I have heard learned counsel appearing for the parties.

7. Having considered the facts and circumstances of the case, nature and gravity of allegations levelled against the present applicant and fact that learned counsel for the State failed to produce case diary and further taking note of the quantity of liquor, period of pre-trial detention and contention made by Mr. Shrivastva that applicant has no criminal antecedents, 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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