NIRMALA
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CGHC010405302026 2026:CGHC:46005

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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9741 of 2026

1 - Ashish Jangde S/o Madan Jangde Aged About 25 Years R/o Village Bijlidih, Police Station Kharora District Raipur (C.G.)

2 - Bhuvan Malhotra S/o Banshilal, Aged About 45 Years R/o Bhilaidadar, P.S. Komakhan, District Mahasamund (C.G.)

3 - Naresh Malhotra S/o Banshilal, Aged About 45 Years R/o Bhilaidadar, P.S. Komakhan, District Mahasamund (C.G.)

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through Station House Officer, P.S. Komakhan, District Mahasamund (C.G.)

... Respondent(s)

For Applicant/s : Shri Arun Kumar Shukla, Advocate.
For Non-Applicant/State : Ms. Ankita Shukla, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

30.10.2026

Heard.

1) This is the first bail application filed under under Section 483 of the

Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicants, who have been arrested in connection with Crime No.104/2026 registered at Police Station Komakhan, District Mahasamund (C.G.), for the offence punishable under Section 34(2), 35 & 49(b)(c) of the Chhattisgarh Excise Act and Sections 274, 275, 347, 348 & 340(2) of the Bhartiya Nyay Sanhita, 2023 (for short, the BNS).

2) As per the case of the prosecution, acting on the basis of secret information, the police conducted a raid and seized some quantity of wine and 280 litres of spirit. Accordingly, the aforesaid offences were registered against the applicants under the Chhattisgarh Excise Act and the BNS Act.

3) Learned counsel for the applicants would submit that the applicants have been falsely implicated in the present case. He would further submit that applicant No.1 has no criminal antecedents. Most of the cases registered against applicant No.2 have already been disposed of, and at present, only one case registered under the Chhattisgarh Excise Act in the year 2026 is pending consideration. He would further submit that applicant No.3 has 22 criminal antecedents, most of which have already been disposed of. He would contend that the charge-sheet has already been filed and that the applicants have been in jail since 11.7.2026, 12.7.2026 and 13.7.2026, respectively. Accordingly, he would pray for grant of regular bail to the applicants.

4. On the other hand, learned counsel appearing for the State/non-applicants would oppose the bail applications and submit that the charge-sheet has already been filed before the competent Court. She

would further submit that applicants No.2 and 3 are habitual offenders and have pending criminal antecedents of a similar nature. Therefore, she would contend that the applications deserve to be rejected.

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

6. Having considered the fact that applicants No.2 and 3 have pending criminal antecedents of a similar nature, registered in the year 2026, I am not inclined to allow the bail applications preferred by applicants No.2 and 3, namely, Bhuvan Malhotra and Naresh Malhotra, at this stage. So far as applicant No.1, namely, Ashish Jangde, is concerned, he has no criminal antecedents, has been in jail since 11.7.2026, and the charge-sheet has already been filed. Further, the conclusion of the trial may take some time. Therefore, this Court is of the view that applicant No.1, Ashish Jangde, is entitled to be released on bail in the present case.

7) Accordingly, the bail application filed by applicant No.1 – Ashish Jangde is allowed. It is directed that the applicant be released on bail on his furnishing a **personal bond** in sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the Court concerned with 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 herein above is for the purpose of deciding this bail application only and the trial Court shall decide the case on its own merits.

Sd/-
(Rakesh Mohan Pandey)
Judge

Nimmi