CGHC010405942026 2026:CGHC:46782

**NAFR**

# HIGH COURT OF CHHATTISGARH AT BILASPUR

## MCRC No. 9774 of 2026

**1 -** Talib Khan S/o Late Sheikh Rasul Khan Aged About 26 Years R/o Ward No. 10, Chhuikhadan, Police Station And Tahsil - Chhuikhadan, District - Khairagarh-Chhuikhadan-Gandai (C.G.) **... Applicant(s)**

**versus**

**1 -** State Of Chhattisgarh Through Station House Officer, Police Station Chhuikhadan, District - Khairagarh-Chhuikhadan-Gandai (C.G.) ...**Non-applicant**

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|---|---|---|
| **For Applicant** | **:** | Mr. Deepak Diwakar, adv, on behalf of Mr. Abhishek Sharma, Advocate |
| **For Non-applicant** | **:** | Ms. Smriti Shrivastava, Panel Lawyer |

**Hon'ble Shri Justice Rakesh Mohan Pandey**

**Order on Board**

**04/11/2026**

1. The applicant has preferred this First Bail Application under Section 483 of the BNSS, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 361/2026, registered at Police Station Chhuikhadan, District Khairagarh Chhuikhadan Chhattisgarh for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.

2. The case of the prosecution, in brief, is that the officers of Police Station concerned received a secret information from the informant and on the basis of the said information conducted a raid and seized 7.200 bulk liters of country made liquor from the possession of the applicant, thereafter,

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Police has registered an aforesaid offence against the present applicant.

3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the present case and is innocent. He further submits that the applicant has three criminal antecedents, out of which he has been acquitted in two cases registered in the year 2018 and 2024 and one case is pending consideration under the provision of BNS registered in the year 2024. Learned counsel would further submit that the applicant is in jail since 27.09.2026 and the trial is likely to take considerable time to conclude. Therefore, he prays that the applicant may be enlarged on regular bail.

4. On the other hand, learned State Counsel would oppose the bail application and submit that the applicant has three criminal antecedents. He would further submit that 7.200 bulk litres of country-made liquor were seized from the possession of the present applicant; therefore, he is not entitled to be enlarged on regular bail.

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

6. Taking into consideration the facts and circumstances of the case, the nature and gravity of the allegations levelled against the applicant, the quantity of liquor seized from his possession, and further considering the fact that the applicant has three criminal antecedents, out of which two cases have been disposed of and one case registered under the provisions of the BNS is pending consideration before the competent Court, and also considering the fact that the applicant is in jail since 27.09.2026 and the trial is likely to take some time to conclude, this Court is inclined to grant regular bail to the applicant. Accordingly, the

bail 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.

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**

*Jyoti*