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HIGH COURT OF CHHATTISGARH AT BILASPUR

SIDDHANT TAMRAKAR
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Date: 2026.10.28 18:15:21 +0530

MCRC No. 10104 of 2026

1. Yashpal Deshmukh Son Of Shri Ramcharan Deshmukh Aged About 30 Years Resident Of Village Sankari, Police Station Gunderdehi, District Balod (C.G.)
2. Chumman Lal Nirmalkar Son Of Girwar Lal Aged About 33 Years Resident Of Village Kochera, Police Station Gurur, District Balod (C.G.),
3. Dilip Kumar Son Of Sonsai Nirmalkar Aged About 41 Years Resident Of Village Jewartala, Police Station Sanaud, District Balod (C.G.)

... Applicant(s)

versus

- State Of Chhattisgarh Through The Station House Officer, Police Of Police Station Arjuni, District Dhamtari (C.G.).

... Non-Applicant

For Applicants : Mr. Anil Kumar Bhoi, Advocate
For State : Mr. Sharad Mishra, Government Advocate

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

28.10.2026

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 applicants who have been arrested in connection with Crime No. 90/2026 registered at Police Station Arjuni, District Dhamtari (C.G.), for the offence punishable under Section 34(2) of C.G. Excise Act.

2. Case of prosecution, in brief, is that upon receiving information from an informant, police of Police Station Arjuni, District Dhamtari, conducted a

raid and seized 457.920 bulk litres of liquor from joint possession of Khilan Sahu @ Golu and Kamlesh Sahu. Subsequently, on the basis of memorandum statement of Khilan Sahu, the present applicants were arrested, and police registered aforesaid offence against them.

3. Learned counsel for the applicants submits that the present applicants have falsely been implicated in this case and no liquor was seized from their possession. He further submits that alleged seizure of 457.920 bulk litres of liquor was made from joint possession of Khilan Sahu @ Golu and Kamlesh Sahu and present applicants have been implicated solely on the basis of memorandum statement of co-accused Khilan Sahu. He further submits that applicants are in jail since 11.08.2026, charge-sheet has been filed and trial is likely to take some time for its conclusion. It is argued that the present applicants have no criminal antecedents. Thus, he would pray for grant of bail to the present applicants.

4. On the other hand, learned counsel for the State would oppose the bail application and submit that 457.920 bulk litres of liquor was seized in the present case and involvement of the present applicants was revealed in the memorandum statement of co-accused Khilan Sahu, therefore, they are not entitled for grant of regular bail in the present case.

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 allegation levelled against the present applicant and fact that no liquor was seized from possession of the present applicants and their implication in the case is based on the memorandum statement of co-accused

Khilan Sahu. Further, charge-sheet has already been filed, applicants are in jail since 11.08.2026, and they have no criminal antecedents, without commenting anything on merits of the case, I am inclined to allow the present bail application.

7. Accordingly, the regular bail application is allowed and it is directed that in the event of the applicants executing a personal bond for a sum of Rs. 50,000/- each with one surety in the like sum to the satisfaction of the concerned trial Court, they shall be released on bail on the following conditions:-

(i) they 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) they shall not act in any manner which will be prejudicial to fair and expeditious trial, &

(iii) they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

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