CGHC010415592026 2026:CGHC:47026

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9985 of 2026

1 - Rohit Sahu S/o Jeevrakhan Sahu Aged About 45 Years R/o Ward No. 06, Villlage Khairat Khurd, Police Station Komakhan, District-Mahasamund Chhattisgarh.

... Applicant

versus

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

... Respondent(s)

For Applicant	**:**	Shri Divyansh Shukla, Advocate
For Respondent(s)	**:**	Ms. Ankita Shukla, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

05/11/2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 104/2026 registered at Police Station Komakhan, District Mahasamund (C.G.) for the offence punishable under Sections 34(2), 35 and 49(B)(C) of Excise Act, 274, 275, 347, 338 and

340(2) of BNS, 2023. The applicant is in custody since 11.07.2026.

2. The case of the prosecution, in brief, is that during routine patrolling, the police received secret information from an informant that three persons had illegally stored country-made Mahua liquor and spirit for the purpose of mixing and sale. Acting upon the said information, the police conducted a raid and seized a certain quantity of liquor and 280 litres of spirit from their possession. Thereafter, a case was registered against them under the provisions of the Chhattisgarh Excise Act and the Bharatiya Nyaya Sanhita, 2023. On the basis of the memorandum statements of the co-accused persons, the present applicant was arrested in connection with the aforesaid case.

3. Learned counsel for the applicant submits that that applicant is innocent and has been falsely implicated in the case. It is further submitted that the applicant has one live criminal antecedents of same nature pertaining to the year 2023, the investigation has been completed and the charge-sheet has already been filed, he has been languishing in custody since 11.07.2026, and the conclusion of the trial is likely to take considerable time; thus, 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 280 litres of spirit; 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 spirit seized, further considering the period of pre-trial detention of the applicant since 11.07.2026 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.

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.

8. 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

Madhurima