CGHC010417632026

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 10116 of 2026

Harpal Singh S/o Uttam Singh Aged About 29 Years R/o Quater No 33, Sector 2, Road 16, P.S. Kotwali Bhilai, District Durg C.G.

... Applicant(s)

versus

KUNAL DEWANGAN

Digitally signed by KUNAL DEWANGAN

State Of Chhattisgarh Through Police Station Excise Circle Jagdalpur Bastar C.G.

... Non-Applicant(s)

For Applicant	:	Mr. Abhishek Nirala, Advocate.
For Non-Applicant/State	:	Ms. Ritika Verma, Panel Lawyer

Hon'ble Mr. Rakesh Mohan Pandey, Judge

Order on Board

28/10/2026

1. The applicant has preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail, as he has been arrested in connection with Crime No. 42/2026, registered at Police Station Excise Circle, Jagdalpur, District Bastar (C.G.), for the offences punishable under Sections 34(1)(a), 34(2), 36 and 59 (a) of the Chhattisgarh Excise Act.

2. The prosecution story, in brief, is that on 04.08.2026, acting upon secret information, the Excise officials conducted a raid and

allegedly recovered 500 quarter bottles of foreign liquor, measuring 90 bulk litres, packed in ten cartons, from the rear seat of a Maruti Ertiga bearing registration No. CG-07-DD-7757. Based upon the said seizure, the aforesaid offence was registered against the applicant.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and that the alleged liquor was not seized from the conclusive possession of the applicant. He further submits that, in the present case, the charge-sheet has been filed before the competent Court and so far as the criminal antecedents of the applicant is concerned that the applicant has one criminal antecedent of a similar nature under the Excise Act pertaining to the year 2026, which has been duly explained in Part-D of the bail application and the applicant is in jail since 04.08.2026 and the conclusion of the trial is likely to take considerable time. Therefore, he prays for grant of regular bail to the applicant.

4. On the other hand, the learned State counsel opposes the prayer for grant of bail to the applicant and submits that in the present case, charge-sheet has been filed before the competent Court and the applicant has a previous criminal antecedent of similar nature of the year 2026. She further submits that from the possession of the present applicant, 90 bulk litres of said liquor was seized and as such he is a habitual offender therefore, he is not entitled for grant of 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, nature and gravity of the allegations alleged against the applicant, the criminal antecedents of the applicant, the quantity of liquor seized from his possession, the fact that the charge-sheet has been filed before the competent Court, the period of incarceration since 04.08.2026 and the fact that the conclusion of the trial is likely to take some time, I am inclined to grant regular bail to the applicant

7. Accordingly, the bail application of the applicant is **allowed**. 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

Kunal