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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. 10073 of 2026

- Hemlal Yadu S/o Himit Yadu, Aged About 32 Years R/o Village Datrengi, Thana Bhatapara, (Gramin), District Baloda Bazar Bhatapara Chhattisgarh.

... Applicant

versus

- State Of Chhattisgarh Through- Station House Officer, Police Station Bhatapara, (Gramin), District Balodabazar, Bhatapara, Chhattisgarh.

... Non-Applicant

For Applicant : Ms. Deepak Jain, Advocate
For State : Mr. Vivek Sharma, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

28.10.2026

1. This is the third bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 441/2026 registered at Police Station Bhatapara(Gramin), District Balodabazar-Bhatapara (C.G.), for the offence punishable under Section 34(2) of C.G. Excise Act.

2. Earlier first bail application i.e. MCRC No. 8669 of 2026 was rejected for want of prosecution vide order dated 17.09.2026 and second bail application i.e. MCRC No. 9737 of 2026 was also rejected for want of prosecution vide order dated 13.10.2026.

3. The case of the prosecution, in brief, is that the police of Police Station

Bhatapara(Gramin) received an information from the informant and on the basis of the said information conducted a raid and seized 7.920 bulk liters of country made romeo masala liquor from possession of the present applicant. Thereafter, Police has registered aforesaid offence against the present applicant.

4. Learned counsel for the applicant submits that the applicant has falsely been implicated in the present case. He further submits that 17 criminal antecedents have been reported against the present applicant, but in most of the cases, he has already been acquitted and only seven cases are pending, which were registered for commission of offence punishable under Sections 294, 323, 506 read with Section 34 of IPC way back in the year 2022, 2023 and 2024. He would contend that there is no criminal antecedent of similar nature registered recently against the present applicant. He further submits that the applicant is in jail since 07.08.2026, charge-sheet has been filed and trial is likely to take some time to conclude. Thus, he would pray for grant of bail to the present applicant.

5. On the other hand, learned counsel for the State would oppose the bail application and submits that the applicant has 17 criminal antecedents, out of which seven cases are still pending consideration, therefore, he is not entitled for grant of regular bail in the present case.

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

7. Having considered the facts and circumstances of the case, the nature and gravity of allegations levelled against the present applicant and fact that 17 criminal antecedents have been reported against the applicant, out of which

10 cases have already been disposed of and only seven cases, registered in the years 2022, 2023 and 2024 for offences punishable under Sections 294, 323 and 506 read with Section 34 of the Indian Penal Code, are pending consideration. Further, there is no criminal antecedent of similar nature registered recently against the present applicant, charge-sheet has already been filed before the competent Court, applicant is in jail since 07.08.2026, and considering the quantity of country-made Romeo Masala liquor seized from his possession, i.e., 7.920 bulk litres, I am inclined to allow the present bail application.

8. Accordingly, the regular bail application is allowed and 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

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