CGHC010424592026 2026:CGHC:46017

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1790 of 2026

1 - Ramesh Yadav S/o Shri Babulal Yadav, Aged About 42 Years R/o Village Amoda Police Station Nawagarh, District Janjgir Champa C.G.

... Applicant

Versus

1 - State Of Chhattisgarh Through The Station House Officer, Police Station Nawagarh, District Janjgir Champa C.G.

... Non-Applicant

For Applicant	:	Mr. Rajkumar Sahu, Advocate
For Non-Applicant	:	Ms. Evelin Juneja, Panel Lawyer

S.B.: Hon'ble Shri Parth Prateem Sahu, Judge

ORDER ON BOARD

30/10/2026

1. Applicant has preferred this application under Section 482 of Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of anticipatory bail as he apprehends his arrest in connection with Crime No. 318/2026 registered at Police Station- Nawagarh, District – Janjgir – Champa (C.G.) for the offence punishable under Sections 34 (2) of the Chhattisgarh Excise Act, 2022.

2. Case of prosecution, in brief, is that, ton 29.09.2026, the police of Police Station Nawagarh, District Janjgir- Champa (C.G.), received secret information from an informer that one person was illegally possessing

and selling country-made Mahua liquor at his residence situated at Village Amoda. Upon receiving the said information, the police prepared a Mukhbir Panchnama and thereafter proceeded to the spot along with independent witnesses and conducted raid, where co-accused person, namely Rahul Das Mahant, was allegedly found selling country-made Mahua liquor. Upon being questioned, the co-accused Rahul Das Mahant disclosed that the present applicant, was engaged in the preparation and sale of country-made Mahua liquor and that he was assisting the present applicant in the said activity. Thereafter, the police conducted a search of the premises of the co-accused and recovered 5.5 bulk litres of country-made Mahua liquor, kept in 55 small plastic pouches, each containing approximately 100 ml of liquor. On the basis of the aforesaid allegations, the poolice registered an offence punishable under Section 34 (2) of the Chhattisgarh Excise Act, 2002. Against the said FIR, the applicant is apprehending his arrest.

3. Learned counsel for the applicant would submit that the applicant is innocent. He has been falsely implicated in the crime. He has not committed any offence as alleged. He submits that applicant has been made accused only on the basis of the memorandum statement of the co-accused Raul Das Mahant. There is no apprehension of his absconding and he will participate in the investigation and co-operate in the trial. Hence, he may be enlarged on anticipatory bail.

4. On the other hand, learned State counsel opposes the submission of counsel for applicant and would submit that based on the secret information when the police searched the house of the co-acucsed Rahul Das Mahant, they have seized 5.5 bulk litres of the country made liquor (Mahua) and during investigation, he named the applicant in his memorandum statement.

5. I have heard learned counsel for the respective parties.

6. On due consideration of the facts and circumstances of the case, nature of allegation, submission of learned counsel for the parties, without commenting anything on merits, I am inclined to allow this anticipatory bail application.

7. Accordingly, application is allowed and it is directed that in the event of arrest of applicant, he shall be released on anticipatory bail by the Officer arresting him on his executing a personal bond in the sum of ₹25,000/- with one surety in the like sum to the satisfaction of the concerned arresting Officer. Applicant shall also abide by the following conditions:

(i) that the applicant shall make himself available for interrogation before the Investigation Officer as and when required;

(ii) that the applicant 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/her from disclosing such facts to the Court or to any police officer;

(iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

(iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial

8. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-

(**Parth Prateem Sahu**)

Judge

Dey