CGHC010426902026

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 10432 of 2026

Gaurav Jaiswal S/o Ramesh Jaiswal Aged About 33 Years R/o Bhadwahi, P. S. Udaipur, Distt Surguja C. G.

... Applicant(s)

versus

State Of Chhattisgarh Through Divisional Flying Squad Excise Division, Ambikapur, Distt Surguja C. G.

... Non-Applicant(s)

For Applicant	:	Mr. Vivekanand Samaddar, Advocate.
For Non-Applicant/State	:	Ms. Priya Sharma, Panel Lawyer

Hon'ble Mr. Rakesh Mohan Pandey, Judge

Order on Board

03/11/2026

1. The applicant has preferred this First Bail Application under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 59/2026, registered at Police Station : Divisional Flying Squad Excise Division, Ambikapur, District- Surguja (C.G.) for the offence punishable under

Sections 34(1)(A), 34(2), 36 and 59(A) of the C.G. Excise Act.

2. The prosecution story, in brief, is that on 05.08.2026, the officials of the Divisional Flying Squad, Excise Division, Ambikapur, received secret information that the present applicant, Gaurav Jaiswal, had illegally stored a huge quantity of liquor manufactured in Madhya Pradesh at the house of co-accused Brijlal Paikra situated at village Nunera. Acting upon the said information, the officials conducted a search at the house of co-accused Brijlal Paikra and seized 18 cartons containing 900 quarters of Goa Whisky, each measuring 180 ml, having a total quantity of 162 litres. On the basis of the aforesaid seizure and allegations against the applicant, the present offence was registered. The applicant was arrested on 05.08.2026 and, after completion of the investigation, charge-sheet has been filed before the competent Court.

3. Learned counsel for the applicant would submit that the applicant is innocent and has been falsely implicated in the present case. He would further submit that the applicant has neither committed nor participated in the alleged offence and no recovery has been made from his possession. The alleged recovery has been made from the house of co-accused Brijlal Paikra. He would further submit that the co-accused has already been granted bail by this Court in MCRC No. 9836 of 2026 vide order dated 15.10.2026 and the case of the present applicant is similar to that of the said

co-accused. So far as the criminal antecedents of the applicant are concerned, he has three criminal antecedents, out of which two relate to offences under the Excise Act and one is preventive in nature, however, all three cases have already been disposed of, as disclosed in Part-D of the bail application. He would further submit that charge-sheet has already been filed, the applicant is in judicial custody since 05.08.2026 and the trial is likely to take considerable time to conclude. Therefore, he prays for grant of regular bail to the applicant.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that the charge-sheet has already been filed before the competent Court. She would further submit that the applicant has three criminal antecedents, out of which two relate to offences under the Excise Act and one is preventive in nature. She would also submit that 162 litres of liquor manufactured in Madhya Pradesh were seized from the house of co-accused Brijlal Paikra, which was allegedly stored at the instance of the present applicant. Therefore, the applicant is not entitled to be released on bail.

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

6. Having considered the facts and circumstances of the case, nature and gravity of allegations levelled against the applicant, the fact that the alleged liquor was seized from the house of co-

accused Brijlal Paikra and further considering that the applicant has three criminal antecedents, all of which have already been disposed of, as disclosed in Part-D of the bail application, charge-sheet has already been filed before the competent Court and the applicant is in judicial custody since 05.08.2026. This Court also takes note of the fact that the co-accused has already been granted bail by this Court in MCRC No. 9836 of 2026 vide order dated 15.10.2026. In view of the aforesaid facts and circumstances, thsu without further commenting upon the merits of the case, this Court is inclined to grant 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