CGHC010427032026

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 10659 of 2026

Khik Ram S/o Panch Ram Aged About 37 Years R/o Village - Jarve, Kharhari, Tahsil - Barpali, District - Korba (C.G.),

... Applicant(s)

versus

State Of Chhattisgarh Through Station House Officer, Police Station - Excise Circle, Korba (South), District - Korba (C.G.),

... Non-Applicant(s)

For Applicant	:	Ms. Deepika Kaushik, Advocate.
For Non-Applicant/State	:	Mr. Vivek Sharma, Panel Lawyer

Hon'ble Mr. Rakesh Mohan Pandey, Judge

Order on Board

05/11/2026

1. This is the first bail application filed by the applicant 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. 200/2026 registered at Excise Circle, Korba (South), District Korba (C.G.), for the offences punishable under Sections 34(1)(a) & (b), 34(2) and 59-A of the Chhattisgarh Excise Act.

2. As per the prosecution story, on 09.10.2026, acting upon secret

information, the Excise Department conducted a raid at the backyard attached to the applicant's house at Village Kharhari and allegedly seized 15.2 litres of hand-distilled raw Mahua liquor. Based upon such, aforesaid offences were registered against the applicant.

3. Learned counsel for the applicant would submit that the applicant has falsely been implicated in the present case and the alleged contraband was not seized from his conscious possession. He would further submit that the charge-sheet has already been filed before the competent Court. So far as the criminal antecedents of the applicant are concerned, he has two previous criminal antecedents under the Excise Act, out of which one case has been disposed of and another is still pending consideration. He would also submit that the applicant is in jail since 09.10.2026 and the conclusion of the trial is likely to take considerable time. Therefore, he prays for grant of bail to the applicant.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that the applicant has two criminal antecedents of similar nature, out of which one case has been disposed of and another is still pending consideration. As such, the applicant is a habitual offender. He would further submit that 15.2 litres of illicit liquor has been seized in the present case. 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. Taking into consideration the facts and circumstances of the case, nature and gravity of the allegations, the quantity of liquor allegedly seized, the criminal antecedents of the applicant, the fact that the charge-sheet has already been filed before the competent Court, the period of incarceration of the applicant since 09.10.2026 and the fact that the conclusion of the trial is likely to take some time, thus, I am 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