CGHC010430102026 2026:CGHC:46277

RAVI SHANKAR MANDAVI
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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1810 of 2026

1 - Ramdin S/o. Shri Ramsundar, Aged About 40 Years R/o. Village Koteya, Majhapara, Thana Khadganva, District Manendragarh-Chirmiri-Bharatpur (C.G.)

... Applicant

versus

1 - State Of Chhattisgarh Through - P.S. Pasan, Chowki, Korbi, District Korba-(C.G.)

... Respondent

(Cause title is taken from CIS)

For Applicant	:	Mr. Vikas Kumar Pandey, Advocate
For State/Respondent	:	Mr. Himanshu Yadu, Panel Lawyer

Hon'ble Shri Justice Parth Prateem Sahu

Order on Board

02/11/2026

1. Applicant has preferred Second bail 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. 251/2026 registered at Police Station- Pasan, District Korba (C.G.) for offence punishable under Section 34(2) of Excise Act.

2. Case of the prosecution, in brief, is that on 20.09.2026 as per secret information received from informant that the driver of a motorcycle Hero HF Deluxe bearing No. CG-16-CH-0396 was transporting a large quantity of English liquor Goa Whiskey and selling it to customers on the CC road near Nohar Singh Orkera's house, the police left for the information spot, Village Peeparkunda Pali, where on reaching near Nohar Singh's house, a person was standing near the motorcycle, who ran away on seeing the police and escaped after chasing. Thereafter, on inspecting the spot, a motorcycle Hero HF Deluxe bearing No. CG-16-CH-0396 and 05 pieces of maroon coloured paper containing 250 pieces of Goa Whiskey (each 180 ml), totalling 45 litres of liquor manufactured in Madhya Pradesh, were found near the said vehicle, which was seized in front of witnesses. From the said 5 cartons, 2 samples each were separated, sealed and sent to the Excise Office, Katghora for testing. During the investigation, on seeking information from the department of RTO regarding the seized motorcycle, it was found that the said vehicle was registered in the name of applicant/Ramdin, son of Ramsundar, resident of Kotiya. Hence, police has registered crime against the applicant.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence as alleged and applicant has been falsely implicated in the crime in question. Applicant was not present on the spot and based on the seizure of motorcycle registered in his name he has been made accused. Hence, the benefit of anticipatory bail may be extended to him.

4. Learned State counsel opposes the submission of learned counsel for applicant and would submits that when the persons coming in the motorcycle saw the police, they fled away after leaving the motorcycle on the spot and upon verifying the ownership of the motorcycle from the RTO Department, it has been found that applicant is owner of motorcycle. There is one other criminal antecedent against the applicant of similar nature from which it is appearing that there is prima facie active involvement of applicant in commission of crime and is not entitled for the benefit of the anticipatory bail.

5. I have heard learned counsel for the respective parties and also perused the documents enclosed along with bail application.

6. Considering the entirety of the facts and circumstances of the case, submission of learned counsel for the respective parties, nature of allegation, allegation levelled against the applicant, further considering the fact that there is one more criminal antecedent of similar nature against the applicant and the bar under the Excise Act in considering the anticipatory bail

application, the application for grant of anticipatory bail is not maintainable.

7. Accordingly, this application filed under Section 482 of the BNSS, 2023 stands **dismissed**.

Sd/-

(Parth Prateem Sahu)

JUDGE

Ravi Mandavi