



2026:CGHC:9071

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 84 of 2026**

1. Ghanaram Sahu S/o Shri Toshu Ram Sahu Aged About 32 Years
Resident Of Village- Sahaspur, P.S. Panduka, District- Gariaband
C.G.
2. Triloki Verma S/o Shri Bhoj Ram Verma Aged About 28 Years
Resident Of Village- Sahaspur, P.S. Panduka, District- Gariaband
C.G.
3. Digesh Sahu S/o Shri Tirith Ram Sahu Aged About 31 Years
Resident Of Village- Sahaspur, P.S. Panduka, District- Gariaband
C.G.

--- Applicant(s)**versus**

State of Chhattisgarh Through- Police- Station Fingeshwar, District-
Gariaband (C.G.)

--- Non-applicant(s)**MCRC No. 360 of 2026**

1. Narsu Ram Dhruv S/o Sukhram Dhruv Aged About 44 Years R/o
Village Sahaspur, Police Station- Panduka, District- Gariaband,
C.G.
2. Khilesh Sahu S/o Parasram Sahu Aged About 36 Years R/o
Village Sahaspur, Police Station- Panduka, District- Gariaband,
C.G.

---Applicant(s)**versus**

State of Chhattisgarh Through Police Station Fingeshwar, District-Gariaband, C.G.

---Non-applicant(s)

(Cause-title taken from Case Information System)

For Applicants	: Mr. Pragalbha Sharma, Advocate.
For Non-applicant/State	: Ms. Monika Singh Thakur, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

20/02/2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, "BNSS") seeking grant of regular bail to the applicants, who have been arrested in connection with Crime No. 370 of 2025 registered at Police Station – Fingeshwar, District Gariaband (C.G.), for the offences punishable under Section 34(2) of the Chhattisgarh Excise Act and Sections 146 and 196 of the Indian Motor Vehicles Act, 1988.
2. As per the prosecution case, on 12.12.2025, the applicants were allegedly found in joint possession of 70 bulk litres of handmade Mahua liquor in a four-wheeler vehicle (Tata Sumo Gold bearing Registration No. CG 04 KP 7736) without any valid license or permit. On the basis of the said seizure, the aforesaid offences were registered against the present applicants.
3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the present case. It is contended that the applicants have no criminal antecedents. It is

further submitted that the charge-sheet has already been filed before the competent Court. Learned counsel submits that the offence under Section 34(2) of the Chhattisgarh Excise Act carries a minimum sentence of one year and a maximum sentence of three years. The applicants are in judicial custody since 13.12.2025 and the trial is likely to take some time for its conclusion. On these grounds, prayer is made to enlarge the applicants on bail.

4. *Per contra*, learned State counsel opposes the bail application and submits that 70 bulk litres of handmade Mahua liquor were seized from the joint possession of the applicants. However, it is not disputed that the applicants have no criminal antecedents and that the charge-sheet has been filed.
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, particularly the nature of allegations levelled against the applicants, the quantity of liquor allegedly seized, the fact that the applicants have no criminal antecedents, the fact that the charge-sheet has already been filed before the competent Court, and that the applicants are in judicial custody since 13.12.2025; and further considering that the conclusion of the trial is likely to take some time, and without expressing any opinion on the merits of the case, this Court is of the view that the applicants are entitled to be released on bail.

7. Accordingly, the bail application of the applicant is **allowed**.
8. Let the applicants in MCRC No. 84 of 2026, namely, **Ghanaram Sahu, Triloki Verma and Digesh Sahu**, and the applicants in MCRC No. 360 of 2026, namely, **Narsu Ram Dhruv and Khilesh Sahu**, who are involved in Crime No. 370 of 2025 registered at Police Station – Fingeshwar, District Gariyaband (C.G.), for the offences punishable under Section 34(2) of the Chhattisgarh Excise Act and Sections 146 and 196 of the Indian Motor Vehicles Act, 1988, be released on bail on their furnishing a **personal bond** with **two sureties each**, in the like sum to the satisfaction of the Court concerned with the following conditions:-

(i) The applicants shall file an undertaking to the effect that they shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(ii) The applicants shall remain present before the trial court on each date fixed, either personally or through their counsel. In case of their absence, without sufficient cause, the trial court may proceed against them under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicants misuses the liberty of bail during trial and in order to secure their presence, proclamation under Section 84 of BNSS. is issued and the applicants fail to appear

before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against them, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicants shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 of BNSS. If in the opinion of the trial court absence of the applicants are deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against them in accordance with law.

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

**Sd/-
(Ramesh Sinha)
Chief Justice**