



2026:CGHC:3603



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 769 of 2026**

Durgesh Uikey S/o Late Gopal Singh Aged About 25 Years R/o B.S.U.P. Colony, P.S. Urla, Tahsil Raipur, District - Raipur, Chhattisgarh. (As Per Correct Details)

... Applicant**versus**

State of Chhattisgarh Through The Station House Officer, P.S. Urla, Distt. Raipur, Chhattisgarh.

... Non-Applicant

For Applicant	: Mr. Aishwary Diwan, Advocate.
For Non-Applicant/State	: Ms. Monika Thakur, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****21.01.2026**

1. The applicant has preferred this First Bail Application under Section 483 of Bharatiya Nagarik Nyay Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No.424/2025, registered at Police Station - Urla, District- Raipur, (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. As per the prosecution case, on 02.11.2025, acting on information provided by the informant, the police conducted a raid and seized a total of 5.760 bulk litres of country-made liquor from the possession of the applicant. On the basis of the aforesaid allegations, the applicant has been booked for an offence punishable under Section 34(2) of the Chhattisgarh Excise Act in connection with Crime No. 424/2025



registered at Police Station Urla, District Raipur (C.G.).

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that the applicant has seven previous criminal antecedents, out of which four cases under the Excise Act are pending, and in one case under the Excise Act he has been acquitted. He also submits that the charge-sheet has been filed, the applicant has been in custody since 02.11.2025, and the trial is likely to take a considerable time to conclude. Therefore, he prays for release of the applicant on regular bail.
4. On the other hand, learned counsel for the State opposes the bail application and submits that the charge-sheet has been filed. She further submits that the applicant is having 11 previous criminal antecedents which shows that he is habitual offender, therefore, his bail application is liable to be dismissed.
5. I have heard learned counsel appearing for the parties and perused material available on record.
6. Considering the facts and circumstances of the case, the nature of the allegations levelled against the applicant, and the fact that the applicant has 11 previous criminal antecedents out of which 7 cases have been explained in Paragraph No. 4(A) of this bail application and are still pending showing that he is a habitual offender, it is further noted that he has misused the bail granted to him earlier, and that the quantity of liquor seized is total 5.760 bulk litres of country-made liquor has been recovered from the possession of the applicant and also in light of the judgment rendered by the Hon'ble Court in ***Deepak Yadav Vs. State of Uttar Pradesh & Another, reported in (2022) 8 SCC 559***, wherein the Hon'ble Supreme Court had cancelled the bail granted to the accused therein on the ground that the accused had previous antecedents, this



Court is of the opinion that it is not a fit case to enlarge the applicant on regular bail.

7. Accordingly, the bail application of applicant – **Durgesh Uikey** involved in Crime No.424/2025, registered at Police Station - Urla, District- Raipur, (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act, is **rejected**.
8. Needless to say that the trial Court concerned is at liberty to proceed and conclude the trial expeditiously.
9. Office is directed to provide a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-
(Ramesh Sinha)
Chief Justice