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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 751 of 2026**

Dharmin Bai Yadav W/o Radheshyam Yadav Aged About 46 Years
Resident Of Gram Sagar, P.S. Sakri District- Bilaspur (C.G.)

... Applicant**versus**

State Of Chhattisgarh Through- Divisional Flying Squad Bilaspur Division
District- Bilaspur (C.G.)

... Non-applicant

For Applicant : Ms. Shreya Jaiswal, Advocate.
For Non-applicant/State : Ms. Ankita Shukla, 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 the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 138/2025, registered at Police Station - Divisional Flying Squad Bilaspur Division District- Bilaspur (C.G.) for the offence punishable under Sections 34(1)(a), 34(2) and 59(a) of the Chhattisgarh Excise Act.
2. The case of the prosecution, in brief, is that the police received an information from the informant and on the basis of the said



information conducted a raid and seized total 27.720 bulk liters of liquor from the joint possession of the present applicant and other co-accused person. Thereafter, Police has registered an offence punishable under Sections Sections 34(1)(a), 34(2) and 59(a) of the C.G. Excise Act against the present applicant.

3. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case. She submits that the present applicant has no criminal antecedents . She further submits that under Section 34(2) of the Excise Act, minimum punishment is one year and maximum punishment is three years, charge-sheet has been filed before the competent Court, and the applicant is in jail since 18.11.2025 and the trial is likely to take some time for its conclusion, therefore, she prays grant of bail to the applicant.
4. On the other hand, the learned State counsel opposes the bail application and submits that the charge-sheet has already been filed before the competent Court. She also submits that from the possession of the present applicant total 27.720 bulk liters of liquor was seized, therefore, he is not entitled for grant of 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 allegation levelled against the applicant and the fact that the present applicant has no criminal antecedents, further considering the fact that the charge-sheet has been filed



before the competent Court and he is in jail since 18.11.2025 and conclusion of the trial is likely to take some time, therefore, I am inclined to grant regular bail to the present applicant.

7. Accordingly, the bail application is **allowed**. Let the applicant, **Dharmin Bai Yadav**, involved in Crime No. 138/2025, registered at Police Station - Divisional Flying Squad Bilaspur Division District-Bilaspur (C.G.) for the offence punishable under Sections 34(1)(a), 34(2) and 59(a) of the Chhattisgarh Excise Act, be released on bail on furnishing **personal bond** with **two sureties** in the like sum to the satisfaction of the Court concerned with the following conditions:-

(i) The applicant shall file an undertaking to the effect that she 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 applicant shall remain present before the trial court on each date fixed, either personally or through her counsel. In case of her absence, without sufficient cause, the trial court may proceed against her under Section 269 of Bharatiya Nyaya Sanhita.

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



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and the applicant fails to appear before the Court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against her, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicant 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 applicant is 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 her in accordance with law.

8. 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

Rahul Dewangan