



2026:CGHC:12552

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 765 of 2026**

Radhika Soni W/o Late Banas Soni, Aged About 45 Years R/o Village Hirri,
Thana And Teh. Sarangarh, District Sarangarh- Bilaigarh (C.G.)

... Applicant**versus**

State of Chhattisgarh Through Station House Officer, Police Station Sarangarh,
District Sarangarh- Bilaigarh (C.G.)

... Non-applicant

For Applicant	: None
For Non-applicant/State	: Mr. Sourabh Sahu, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****16.03.2026**

1. None appears nor is any representation made on behalf of the applicant to press this bail application when the case is called out.
2. It transpires from the record that the applicant is in jail since 14.12.2025. Hence, the Court proceeds to consider and hear the bail application of the applicant with the assistance of the State counsel.
3. The applicant has preferred this First Bail Application under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as she has been arrested in connection with Crime No. 644/2025, registered at Police Station : Sarangarh, District – Sarangarh-Bilaigarh (C.G.) for the offence punishable under Section 34(2) and 59(a) of the

C.G. Excise Act.

4. The prosecution story, in brief, is that the police received secret information from an informant that on the date of the incident, 14.12.2025, an unknown lady had kept illegal liquor in her possession for the purpose of sale. Acting upon the said information, the police reached the spot and seized 87 litres of country-made hand-brewed (kachchi) mahua liquor from the courtyard of the applicant. It is alleged that the applicant could not produce any document regarding the possession of the seized liquor. Accordingly, the police registered a case against the applicant for the offence punishable under Sections 34(2) and 59(a) of the Excise Act.
5. The learned State counsel opposes the bail application of the applicant and submits that the charge-sheet has already been submitted before the competent Court in the present case. He also submits that the applicant has one criminal antecedent under the Excise Act, which is pending trial. It is further submitted that 87 litres of country-made hand-brewed (kachchi) mahua liquor was recovered from the courtyard of the present applicant, therefore, she is not entitled to the grant of bail.
6. I have heard learned State counsel and perused the case-diary.
7. Taking into consideration the facts and circumstances of the case, nature and gravity of allegation levelled against the applicant and the fact that the applicant has only 01 criminal antecedent under the Excise Act which is pending trial and also considering the fact that the charge-sheet has been filed and he has been in jail since 14.12.2025 and conclusion of the trial is likely to take some time, therefore, I am inclined to grant regular bail to the present applicant.
8. Let applicant, **Radhika Soni**, involved in Crime No. 644/2025, registered

at Police Station : Sarangarh, District – Sarangarh-Bilaigarh (C.G.) for the offence punishable under Section 34(2) and 59(a) of the C.G. Excise Act, be released on bail on furnishing **personal bond** with **two local 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 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.

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**

Abhishek