



2026:CGHC:4142



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 814 of 2026

Jagatu Dhimar S/o Shyam Lal Dhimar, Aged About 54 Years R/o Village Banbarad, Police Station Nandini Nagar, Tahsil Ahiwara, District- Durg (C.G.)

... **Applicant**

versus

State Of Chhattisgarh Through The Station House Officer, Police Station Nandini Nagar, Tahsil Ahiwara, District- Durg (C.G.)

... **Non-applicant**

For Applicant	: Mr. Rudranath Mukherjee, Advocate.
For Non-applicant/State	: Mr. Shubham Bhajpai, Panel lawyer.

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

23.01.2026

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. 304/2025, registered at Police Station : Nandini Nagar District- Durg (C.G.) for the offence punishable under Section 34(2) of the C.G. Excise Act.
2. The prosecution story that in brief is that on 25-11-2025, during the



patrolling, secret information was received by the Police of Police Station Nandinagar that the present applicant has kept illicit liquor in his Hotel. On the basis of such information, the Police reached to the place of incident and seized total 6.300 bulk liter country made liquor and subsequently the applicant has been arrested for the commission of alleged offences.

3. Learned counsel for the applicant submits that the present applicant has been falsely implicated in the case. He further submits that That, the applicant is an innocent person and has been falsely implicated in the present case and has not acted in the manner alleged by the prosecution; that a false seizure memo has been prepared by the police only with the intention to rope the applicant into a fabricated criminal case, and the applicant is hopeful of being acquitted of all the allegations; that the applicant has been in judicial custody since 25.11.2025 and the trial is likely to take considerable time for its conclusion and, therefore, considering the period of detention already undergone by the applicant, this Hon'ble Court may be pleased to consider his case for grant of regular bail; that the applicant is a permanent resident of the address mentioned in the cause title and there is no likelihood of his absconding; that the applicant undertakes to furnish adequate surety and shall abide by all the terms and conditions as may be imposed by this Hon'ble Court, therefore, he prays for the grant of regular bail to the applicant.
4. On the other hand, learned State Counsel opposes the bail application and submits that the applicant has three previous criminal antecedents; therefore, he is not entitled to be granted regular bail.



5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the submissions made by learned counsel for the parties, further considering the facts and circumstances of the case, nature and gravity of allegation levelled against the present applicant moreover, the fact that the charge-sheet has been filed before the competent Court and applicants are in jail since 25.11.2025 and conclusion of the trial may take some more time, this Court is of the view that the applicants are entitled to be released on bail in this case.
7. Let applicant, **Jagatu Dhimar**, involved in Crime No.304/2025, registered at Police Station : Nandini Nagar District- Durg (C.G.) for the offence punishable under Section 34(2) 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 he 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 his counsel. In case of his absence, without sufficient cause, the trial court may proceed against him under Section 269 of Bharatiya Nyaya Sanhita.
 - (iii) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence, proclamation under Section 84 of BNSS. is issued and



2026:CGHC:4142

the applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, 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 him 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