



2026:CGHC:10048

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 782 of 2026

Rajpal Bhatia S/o Harmeet Singh Bhatia Aged About 52 Years R/o Ward No. 7, Surbhi Chowk, Devri, Police Station Devri, District Gondia, Maharashtra.

... Applicant(s)

versus

State Of Chhattisgarh Through Police Station Dongargarh, District Rajnandgaon, Chhattisgarh.

... Respondent(s)

For Applicant(s) : Mr. Samrath Singh Marhas, Advocate.

For Respondent(s) : Ms. Ritika Verma, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

26/02/2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the applicant who has been arrested in connection with Crime No. 606/2025 registered at Police Station Dongargarh, District Rajnandgaon (C.G.), for the offence

punishable under Sections 34(2) and 59(A) of the C.G. Excise Act and Sections 339, 336(3), 340(2) of BNS.

2. Case of the prosecution, in brief, is that on 17.12.2025, the Assistant Sub Inspector of Police Station Dongargarh received credible information regarding illegal storage and sale of liquor at village Musrakhurd. Acting upon the said information, a raid was conducted at the house of Birbal Verma near Sheetla Mandir. During the search, the police allegedly seized 161 bottles of Jammu Special Whisky and 187 bottles of Bombay Special Whisky, each containing 180 ml, totaling 62.64 bulk litres of liquor. It is alleged that the liquor, though manufactured in Madhya Pradesh, was being sold by affixing labels of Chhattisgarh Excise. Further, 1,860 counterfeit liquor stickers were recovered from co-accused Chandrakant @ Sonu Sen. In their memorandum statements, the accused persons allegedly disclosed that the present applicant, Rajpal Singh Bhatia, resident of Deori, Maharashtra, used to supply the liquor and excise labels to them. On the basis of the said incident, an FIR was registered at Police Station Dongargarh, District Rajnandgaon, and investigation was set into motion. Hence, the bail application.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and no liquor has been seized from his exclusive possession, only on the basis of memorandum statement of the co-accused persons, present applicant has been

made an accused in the crime in question. He further submits that under Section 34(2) of the C.G. Excise Act, minimum punishment is one year and maximum punishment is three years. He also submits that the applicant has no criminal antecedent, further the applicant is in jail since 18.12.2025 and the conclusion of the trial is likely to take quite long time. Therefore, he prays for grant of regular bail to the applicant.

4. Learned counsel for the State/non-applicant would oppose the bail application and submit that the charge-sheet has been filed in the present case before the competent Court and the applicant has no criminal antecedent. She further submits that the present applicant is the supplier of the seized liquor and his name has come into light from the memorandum statement of the co-accused persons, therefore, the applicant is not entitled for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, the nature and gravity of the allegations levelled against the applicant, and the fact that the applicant has no criminal antecedents, further considering that the applicant is in judicial custody since 18.12.2025, the charge-sheet has already been filed, and the conclusion of the trial is likely to take considerable

time, this Court is of the view that the applicant deserves to be enlarged on bail.

7. Accordingly, the application is **allowed**.

8. Let the applicant - **Rajpal Bhatia**, involved in Crime No. 606/2025 registered at Police Station Dongargarh, District Rajnandgaon (C.G.), for the offence punishable under Sections 34(2) and 59(A) of the C.G. Excise Act and Sections 339, 336(3), 340(2) of BNS, be released on bail on his furnishing a **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 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.

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

Sd/-
(Ramesh Sinha)
Chief Justice