



2026:CGHC:13771

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 1228 of 2026**

- Ashish Singh S/o Sujan Singh Aged About 30 Years R/o- Plot No. 1, House No. 09, Priyadarshini Complex, Supela, Police Station Supela, Durg, District Durg C.G. (Details Of Applicant Properly Not Mentioned In First Page Of Impugned Order Sheet And Correct Details Is Mentioned As Per Cause Tittle Of Impugned Order Sheet)

... Applicant(s)**versus**

- State of Chhattisgarh Through S H O Police Station- Excise Circle Bhilai- 02, District Durg C.G. (Details Of Applicant Properly Not Mentioned In First Page Of Impugned Order Sheet And Correct Details Is Mentioned As Per Cause Tittle Of Impugned Order Sheet)

... Respondent(s)**(Cause title is taken from Case Information System)**

For Applicant(s) : Mr. T.K.Jha, Advocate

For Respondent(s) : Ms. Smriti Shrivastava, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****23.03.2026**

- The applicant has preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 306/2026, registered at Police Station – Excise Circle Bhilai-02, District – Durg (C.G.) for the offence punishable under Section 34(2), 36, 59(A) of C.G. Excise Act.

2. The case of the prosecution, is that alleged that a secret information was received on 12.01.2026 that the present applicant was in possession of illegal liquor then on the basis of above information the concerned police station stated searching and in the place of incident, 23 bottles of Royal Stage Whisky (Sale only in Haryana) of 750 ml capacity each were found in the trunk of the vehicle Red Swift Car No. CG/04/H/8637 of present applicant. Total quantity 17.250 bulk litres and on in searching the house, 02 bottles of Royal Challenge Whisky, 11 bottles of Jagger Master Whisky, 06 bottles of Glenfiddich Whisky, 12 bottles of Black Label Whisky, 06 bottles of Red Label Whisky, 12 bottles of Balentine Whisky, 12 bottles of Signature Whisky, 04 bottles of Blonde Whisky, 02 bottles of Black & White Whisky, 12 bottles of Blender's Pride Whisky, Rock Ford Whisky 04 pieces, Smirnoff of Jamun Whisky 10 pieces, Kashmir Whisky 12 pieces, Bacardi Lemon Whisky 12 pieces, Jameson Whisky 22 pieces, Absolute Vodka Whisky 05 pieces (each capacity 750 ml) non- duty paid liquor quantity 108 bulk litres, Total 125.25 bulk liters total worth Rs 3,74,000/- were recovered and seized from the possession of applicant therefore the above offence has been registered against. Hence this bail application.

3. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case and there is no criminal antecedents registered against the present applicant. It is further submitted that the charge-sheet has been filed in this case. He further submits that under Section 34(2) of the Excise Act, minimum punishment is one year and maximum punishment is three years. The applicant is in jail since 12.01.2026 and trial is likely to take some time for its conclusion, therefore, he

prays for grant of bail.

4. On the other hand, the learned State counsel opposes the bail application and submits that there is no criminal antecedents registered against the present applicant, and the charge-sheet has been filed in this case. It is further submitted that a total of 125.25 bulk liters total worth Rs 3,74,000/- has been seized from the possession of the present applicant, therefore, he is not entitled for grant of bail.
5. I have heard learned counsel for the parties and perused all of the documents available on record.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of allegation levelled against the applicant and the fact that there is no any criminal antecedents registered against the present applicant, charge-sheet has been filed against the applicant and he is in jail since 12.01.2026 and conclusion of the trial is likely to take some time, I am inclined to allow this application.
7. Let applicant, **Ashish Singh**, involved in Crime No.306/2026, registered at Police Station – Excise Circle Bhilai-02, District – Durg (C.G.) for the offence punishable under Section 34(2), 36, 59(A) of C.G. Excise Act., be released on bail on his furnishing **a 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 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.

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

Sd/-
(Ramesh Sinha)
Chief Justice

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