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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1966 of 2026

Avadhesh Singh S/o Shri Ambika Singh Aged About 55 Years R/o- Village Pirdhu, Salaiya, District- Aurangabad (Bihar) Present Address- Village Karanja, Liquor Shop Karanja, Tahsil Lanji, District- Balaghat (M.P.)

...Applicant

versus

State Of Chhattisgarh Through Station House Officer, Police Station- Dongargarh District- Rajnandgaon (Chhattisgarh)

... Respondent

For Applicant : Shri Saurabh Gupta, Advocate.

For : Shri Sourabh Sahu, PL.

Respondent/State

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

19/03/2026

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),



59(A) of C.G. Excise Act and sections 339, 366(3), 340(2) of BNS, 2023.

2. Case of the prosecution, in brief, is that on 17.12.2025, the Police of Police Station Dongargarh received secret information from an informant that a huge quantity of illegally M.P. Manufactured liquor was stored and being sold from the house of Birbal Verma, situated Near Shitla Temple at Village Musrakhurd, by filling liquor in Madhya Pradesh bottles and affixing false labels of C.G. Aavkari's Jammu Special Whisky. Acting upon the said information, the police party went to the spot and conducted a raid at the house of co-accused Birbal Verma, where two persons were found present. On enquiry, one disclosed his name as Birbal Verma, while the other disclosed his name as Chandrakant @ Sonu during search total quantity of 62.64 bulk litres of illegal liquor was seized from the said house and the co-accused persons have named one Rajpal Bhatiya therefore the police arrested said Rajpal recorded his memorandum in the said memorandum he named the applicant saying that the liquor was purchased from the Karanja shop, P.S. Lanjhi, Distt.-Balaghat where the applicant is working as Manager. Thereafter, the present applicant was arrested on the basis of suspicion.
3. Learned counsel submits that the applicant is innocent and has been falsely implicated in the present case. It is argued that the applicant's name does not appear in the FIR dated 17.12.2025, and his implication is solely based on the memorandum statement of a co-accused. It is further submitted that no recovery has been made from the possession of the applicant, and the entire alleged contraband was seized from co-



accused persons. The applicant is merely an employee of a licensed liquor shop in Karanja, Madhya Pradesh, and has no connection with any alleged illegal activity. He also submits that applicant is in jail since 06/01/2026 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. He would submit that the applicant happens to be the Manager of the liquor shop from where the co-accused persons have purchased the liquor i.e. 62.64 bulk litres. He would submit that the applicant has no criminal antecedents.
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, considering the fact that the applicant happens to be the Manager of the liquor shop from where the co-accused persons have purchased the liquor, applicant is in jail since 06/01/2026, he has no criminal antecedents and further the conclusion of the trial may take some more time, therefore this Court is of the view that the applicant is entitled to be released on bail in this case.
7. Accordingly, the bail application is allowed and it is directed that the applicant - **Avadhesh Singh**, involved in Crime No.606/2025 registered at Police Station Dongargarh, District- Rajnandgaon (C.G.) for the offence punishable under Sections 34(2), 59(A) of C.G. Excise Act and sections 339, 366(3), 340(2) of BNS, 2023, 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



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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
for necessary information and compliance forthwith.

Sd/-

(Ramesh Sinha)
Chief Justice