



2026:CGHC:12753

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 1578 of 2026**

Aakash Mohurle S/o Kameshwar Mohurle Aged About 26 Years R/o Village
Dakkotola P.S. Chilhati Tehsil Ambagarh Chowki, District Mohla-Manpur-
Ambagarh Chowki Chhattisgarh **... Applicant**

versus

State Of Chhattisgarh Through P.S. Excise Circle - Chilhati, Tehsil Ambagarh
Chowki, District Mohla - Manpur-Ambagarh Chowki Chhattisgarh
... Non-applicant

For Applicant	: Mr. Basant Dewangan, Advocate.
For Non-applicant/State	: Ms. Smriti Shrivastava, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****17.03.2026**

1. This is the 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. 65/2025, registered at Police Station - Chilhati District Mohla - Manpur-Ambagarh Chowki (C.G.) for the offence punishable under Sections 34(2) of the C.G. Excise Act.
2. The prosecution's story in brief is that, on 27.08.2025 the Patrolling

team of P.S. Chilhati received. an information from the informant that the applicant is carrying 15 liters of country made liquor & the same has been recovered from the possession of applicant. In fact the allegation made against the applicant is totally false.

3. Learned counsel for the applicant submits that applicant has been falsely implicated in the present case. He further submits that No recovery has been made from his possession or at his instance, and the alleged case property appears to have been planted. The charge-sheet has already been filed, and the applicant has been in judicial custody since 27.08.2025, with no evidence on record attracting the ingredients of the offences under the Excise Act. The case against the applicant is based merely on suspicion, without any *prima facie* material. The applicant is the sole bread earner of his family, and his continued incarceration is causing undue hardship to his dependents. He is a permanent resident as mentioned in the cause title, possesses movable and immovable properties, and there is no likelihood of his absconding or tampering with prosecution evidence if released on bail. The applicant has no criminal antecedents and is not a previous convict, and the present case appears to be a result of clear police manipulation. The applicant undertakes to furnish adequate surety and to abide by any terms and conditions that may be imposed by this Hon'ble Court.
4. On the other hand, the learned State Counsel opposes the bail application and submits that the charge-sheet has already been filed against the applicant and that the applicant has five criminal antecedents, therefore, he is not entitled to the grant of regular bail.

5. I have heard learned counsel for the parties and perused the case-diary.
6. Considering the overall facts and circumstances of the case, the nature and gravity of the allegations levelled against the applicant, and further taking into account that the charge-sheet has already been submitted before the competent Court and the applicant has remained in jail since 27.08.2025, and the conclusion of the trial is likely to take some time, this Court is inclined to grant regular bail to the present applicant.
7. Let applicant, **Aakash Mohurle**, involved in Crime No. 65/2025, registered at Police Station - Chilhati District Mohla - Manpur-Ambagarh Chowki (C.G.) for the offence punishable under Sections 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 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