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HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 1592 of 2026**

Shankar Kahar S/o Krishna Kahar Aged About 35 Years R/o Gandhi Nagar,
Ratanpur Police Station Ratanpur, District- Bilaspur (C.G.) ... **Applicant**

versus

State Of Chhattisgarh Through- Station House Officer, Police Station-
Ratanpur, District- Bilaspur (C.G.) ... **Non-applicant**

For Applicant	: Mr. Ravi Kumar Banjare , Advocate.
For Non-applicant/State	: Ms. Monika Thakur, 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. 18/2026, registered at Police Station - Ratanpur, District - Bilaspur (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 03.08.2025 basis of the information received the Police Authorities conducted search of



applicant on road wherein they have seized 62.5 Litre Mahua Hand Made Liquor from Applicant, and registered a case against the present applicant for the offences punishable under Section 34(2) and 59(a) of Chhattisgarh Excise Act under crime no. 299/2025 in police station Shivrinarayan, Dist- Janjgir-Champa (C.G.).

3. Learned counsel for the applicant submits that applicant has been falsely implicated in the present case. He further submits that on the basis of suspicion and the information of an informer, without any independent witness supporting the prosecution version. The learned Trial Court failed to appreciate that a false First Information Report has been lodged against the present applicant. The seized goods are unclaimed, and the ownership or conscious possession of the applicant/accused has not been established. No seizure has been made from the applicant, and the police, by exerting undue pressure, compelled him to sign the seizure documents. The applicant's arrest is solely based on the information given by the informant, without any corroborative evidence. The applicant has been in jail since 03.08.2025, therefore, he prays for grant of regular bail to the present applicant.
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 one 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 09.01.2026, 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, **Shankar Kahar**, involved in Crime No.18/2026, registered at Police Station - Ratanpur, District - Bilaspur (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.



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(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**

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