



2026:CGHC:13026



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1736 of 2026

Sanjay Dhritlahare S/o Kunwar Lal Dhritlahare, Aged About 40 Years R/o Village Khairghat, Police Station Simga, District- Balodabazar- Bhatapara (C.G.)
... Applicant

versus

State Of Chhattisgarh Through The Station House Officer, Police Of Police Station Hathband, District – Balodabazar - Bhatapara (C.G.)
...Non-applicant

For Applicant : Mr. Anil Kumar Gulati, Advocate

For Non-Applicant/State : Mr. Nitansh Jaiswal, Dy. G.A.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

18.03.2026

1. This is the first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 193/2024 registered at Police Station - Hathband, District – Balodabazar - Bhatapara (C.G.), for the offences punishable under



Section 34(2), 59 (A) & 36 of C.G. Exercise Act 111 of the BNS.

2. The case of the prosecution, in brief, is that although the present applicant is named in the FIR, his involvement has primarily surfaced on the basis of memorandum statements of other co-accused persons. It is alleged that a quantity of illicit liquor was seized by the police from Yadu Farm House. Initially, one Laxminath Yadu was apprehended, who, during interrogation, disclosed that the said liquor had been brought by co-accused persons namely Gopi Dhritlahare and Sarju Yadu. On the basis of such statements, the present applicant has also been implicated in the case. However, no contraband has been seized from the conscious possession of the present applicant, and his alleged involvement is based on the disclosure statements of the co-accused persons.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case and has not acted in the manner as alleged by the prosecution; it is further submitted that the implication of the applicant is solely on the basis of the memorandum statement of co-accused Laxminath Yadu, who has already been granted regular bail by this Hon'ble Court vide order dated 03.01.2025 in MCRC No. 7924/2024, and similarly co-accused Gopi @ Sonu Dhritlahare has also been granted bail vide order dated 22.03.2025, and thus the case of the present applicant stands on the same footing; it is also submitted that the applicant had earlier preferred an anticipatory bail application bearing MCRC No. 1347/2024, which was dismissed by this Hon'ble Court on 25.11.2024, and thereafter he approached the Hon'ble Supreme Court by filing



SLP No. 3155/2025, wherein interim protection was granted, pursuant to which the applicant was formally arrested on 10.05.2025 and released on bail, however, upon dismissal of the SLP on 25.11.2025, the applicant was again arrested on 14.11.2025, and his memorandum statement was recorded on 15.11.2025, but nothing has been seized from his possession; it is further submitted that no specific role has been attributed to the applicant in the commission of the alleged offence and his name has been falsely implicated by the police, allegedly due to his previous criminal antecedents, and that the applicant is in judicial custody since 14.11.2025, therefore, he deserves to be enlarged on bail.

4. On the other hand, learned State Counsel opposes the bail application of the present applicant and submits that the charge-sheet has already been filed in the present case. He further submits that applicant has nine criminal criminal antecedents, therefore, he is not entitled for 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 filed before the competent Court and and that the applicant has remained in judicial custody since 14.11.2025, and as 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 the Applicant – **Sanjay Dhritlahare**, involved in Crime No.



193/2024 registered at Police Station - Hathband, District –
Balodabazar - Bhatapara (C.G.), for the offences punishable under
Section 34(2), 59 (A) & 36 of C.G. Exercise Act 111 of the BNS, be
released on bail on his 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 send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-

(Ramesh Sinha)
Chief Justice