



2026:CGHC:13009



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**NAFR****HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 1714 of 2026**

Chima Ram S/o Shri Harji Ram Aged About 26 Years R/o Village- Morala Kolu,  
P.S. Baytu, District- Balotara Badmer (Rajasthan).

**... Applicant****versus**

State of Chhattisgarh Through - Station House Officer, P.S. Jashpur, District-  
Jashpur (C.G.)

**... Non-applicant**


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|-------------------------|----------------------------------------|
| For Applicant           | : Mr. Arun Kumar Shukla, Advocate.     |
| For Non-Applicant/State | : Mr. Shailendra Sharma, Panel Lawyer. |

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**Hon'ble Shri Ramesh Sinha, Chief Justice****Order on Board****18.03.2026**

1. The applicant has preferred this First Bail Application under Section 483 of B.N.S.S. for grant of regular bail, as he has been arrested in connection with Crime No. 201/2025, registered at Police Station Jashpur, District – Jashpur (C.G) for the offence punishable under Section 34(1)(a), 34(2) and 42 of the Chhattisgarh Excise Act.
2. As per the brief facts of the prosecution case, the police of Police Station Jashpur, on the basis of secret information, seized 6588.72 litres of English wine from a truck and registered the aforesaid case under the CG Excise Act against the applicant, and arrested him.
3. Learned counsel for the applicant submits that the applicant has been



falsely implicated in the present case and that no seizure has been made from his exclusive possession. He submits that the present applicant is an innocent person, as he was merely the driver of the truck and was driving it at the behest of its owner. He was not aware of what was kept in the truck's loading bed and had no knowledge of any kind of liquor being stored therein. The applicant has no previous criminal antecedents, and he has been roped into the present offence on the basis of a false seizure memo prepared by the police. He also submits that under Sections 34(2) of the Chhattisgarh Excise Act, minimum punishment is one year and maximum punishment is three years and the applicant has been in jail since 05.08.2025 and the conclusion of the trial is likely to take quite long time. Therefore, he prays for releasing the applicant on regular bail.

4. On the other hand, learned State Counsel appearing for the State/non-applicant opposes the bail application and submits that, in the present case, the charge-sheet has been filed before the competent Court. He further submits that the present applicant has 03 criminal antecedents out of which 01 case is under the Excise Act, which shows that the applicant is a habitual offender. As such, he is not entitled to the grant of bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case also considering the fact that the present applicant has 03 criminal antecedents out of which 01 case is under the Excise Act, shows that the present applicant is a habitual offender and also in light of the judgment rendered by the Hon'ble Supreme Court in **Deepak Yadav v. State of Uttar Pradesh & Another**, reported in **(2022) 8 SCC 559**, wherein the Hon'ble Supreme Court had cancelled the bail granted to the accused therein on the



ground that the accused had previous antecedents, this Court is of the opinion that it is not a fit case to enlarge the applicant on regular bail. Accordingly, the bail application of the applicant – **Chima Ram**, involved in Crime No. 201/2025, registered at Police Station Jashpur, District – Jashpur (C.G) for the offence punishable under Section 34(1)(a), 34(2) and 42 of the Chhattisgarh Excise Act, is **rejected**.

7. Needless to say that the trial Court concerned is at liberty to proceed and conclude the trial expeditiously.
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**