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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1967 of 2026

Ravi Kumar Nishad S/o Mannu Lal Nishad Aged About 33 Years R/o K.K. Ward, Kalyan Sagar Talab Ke Pass Bhatapara, P.S. - Bhatapara City, District - Balodabazar Bhatapara, Chhattisgarh. **... Applicant**

versus

State Of Chhattisgarh Through Bhatapara Gramin, District - Balodabazar, Chhattisgarh. **...Non-applicant**

For Applicant : Mr. Ayush Verma, Advocate.

For Non-applicant/State : Mr. Shubham Bajpai, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

17.03.2026

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. 25/2026 registered at Police Station – Bhatapara (Gramin), District Balodabazar - Bhatapara (C.G.), for the offences punishable under Section 34(2) of the C.G. Excise Act and Section 111 of the BNS.



- 2.** Case of the prosecution, in brief, is that on 09.01.2026 secret information was received from the informer that one Amar Yadu named person is illegally selling deshi masala romiyo (illicit spiced country liquor) at his home of village Terenga hidden in a brown bag in his home. No license was produced despite notice, leading to seizure, memorandum statement from the accused admitting possession and sale, and his arrest. He disclosed operating in Gram Gurph. Later, co-accused Nitesh Ratre was traced and arrested with 50 paav (approx. 9 bulk liters in 180 ml pouches, valued at Rs. 5,000) of similar illicit liquor was recovered from him, with sample sealed for analysis. During investigation, Nitesh Ratre's memorandum statement revealed an organized syndicate involving numerous named individuals present applicant Ravi Nishad and Ajay Markamdey, Muntu @ Pramod, Durgesh Gujratiya, and others for allegedly manufacturing illicit liquor. The accused persons are charged with offences under Section 34(2) of the Chhattisgarh Excise Act and later Section 111 BNS was added in FIR.
- 3.** Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. It is contended that the applicant is a young person aged about 33 years and has not committed any offence he has been arrested merely on the basis of suspicion. The charge-sheet has not yet been filed, and therefore, the trial is likely to take considerable time to conclude. The applicant has been in judicial custody since 09.01.2026 for no fault of his own, and his continued detention is causing undue hardship. It is further submitted that the applicant is the sole bread earner of his family, and there is no one to take care of his dependents, and his



incarceration is adversely affecting both his family and his mental well-being. In these circumstances, the applicant deserves to be released on bail.

4. On the other hand, learned State Counsel opposes the bail application of the present applicant and submits that the applicant has one previous criminal antecedent, 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 offence alleged against the applicant, and further taking into account the period of detention, as the applicant has remained in judicial custody since 09.01.2026, and that the charge-sheet has not yet been filed and the conclusion of the trial is likely to take considerable time, this Court is inclined to grant regular bail to the present applicant.
7. Let the Applicant – **Ravi Kumar Nishad**, involved in Crime No. 25/2026 registered at Police Station – Bhatapara (Gramin), District Balodabazar - Bhatapara (C.G.), for the offences punishable under Section 34(2) of the C.G. Excise Act and Section 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



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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