



2026:CGHC:13243

NAFR

## HIGH COURT OF CHHATTISGARH AT BILASPUR

### MCRC No. 1963 of 2026

Bihorik Verma S/o Lalan Verma Aged About 30 Years R/o- Village- Muribhata  
Jalso, P.S.- Koni, District- Bilaspur (C.G.) **... Applicant**

### **versus**

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

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For Applicant : Mr. Ayush Verma, Advocate

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For Non-Applicant/State : Mr. Shailendra Sharma, Panel Lawyer

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**Hon'ble Shri Ramesh Sinha, Chief Justice**

### **Order on Board**

**19.03.2026**

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. 07/2026 registered at Police Station - Koni, District - Bilaspur (C.G.), for the offences punishable under Section 34(2) of the Excise Act.
2. The prosecution story, in brief, is that on 04.01.2026, during routine patrolling, police received secret information that one person was selling raw mahua liquor near Gatauri Kachhar Road Talab. Upon

reaching the spot with staff, the applicant was found present. On search, 06 yellow-coloured jerry cans (each of 15 litres capacity) containing 15 litres each of kachchi mahua sharab (total 90 litres) were recovered and seized. The applicant disclosed his name as Bihorik Verma. Accordingly, the offence under Section 34(2) of the Chhattisgarh Excise Act.

3. Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in this offence. It is further submitted that the applicant is a young man aged about 30 years and has been arrested merely on the basis of suspicion without any cogent material against him; that the charge-sheet has not yet been filed in the present case, and therefore, the trial is likely to take considerable time for its conclusion; that the applicant is in judicial custody since 05.01.2026 for no fault of his own, and his continued detention is unjustified; that the applicant has not committed any offence and his incarceration is causing severe hardship, adversely affecting his mental condition as well as the well-being of his family members; that the applicant is the sole bread earner of his family and there is no one else to take care of his dependents; that the applicant is a permanent resident of the address mentioned in the cause title, having sufficient movable and immovable property, and there is no likelihood of his absconding or tampering with prosecution evidence or influencing witnesses; therefore, he is entitled 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 charge-sheet has already been filed in the present case. He further submits that the

applicant has two criminal antecedents; therefore, 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 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 05.01.2026, 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 – **Bihorik Verma**, involved in Crime No. 07/2026 registered at Police Station - Koni, District- Bilaspur (C.G.), for the offences punishable under Section 34(2) of the Excise Act, 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**

Vaibhav