



2026:CGHC:16710

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 2021 of 2026**

Chandrashekhar Miri S/o Rajkumar Miri Aged About 30 Years Resident Of Village Baglota, Thana And Tehsil Bilaigarh, District -Sarangarh-Bilaigarh, Chhattisgarh.

... Applicant**versus**

State Of Chhattisgarh Through Station House Officer, Police Station - Bilaigarh, District - Sarangarh -Bilaigarh, Chhattisgarh.

... Respondent(s)

For Applicant : Mr. Pramod Kumar Navratna, Advocate
For Respondent(s) : Ms. Sameeksha Gupta, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****10/04/2026**

1. The applicant has preferred this First Bail Application under Section 483 of BNSS, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 10/2026 registered at



Police Station- Bilaigarh Civil and Revenue District- Sarangarh- Bilaigarh (CG) for the offence punishable under Section 34(2) of Excise Act.

2. The prosecution case, in brief, is that on 13.01.2026, on the basis of secret information, the police intercepted the applicant while he was transporting illicit Mahua liquor on a motorcycle bearing registration No. CG-22-V-8793. During search, about 45 bulk liters of Mahua liquor were seized in the presence of witnesses. As the quantity was found to be more than permissible, an offence under the relevant provisions of the Chhattisgarh Excise Act was registered. After completion of investigation, the charge-sheet has been filed.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. It is submitted that the applicant is the sole breadwinner of his family and his continued detention is causing financial and mental hardship to his dependents. It is further submitted that the applicant is a permanent resident of Village Baglota, Police Station Bilaigarh, and there is no likelihood of his absconding. The applicant is ready to abide by all terms and conditions as may be imposed by this Court.
4. Learned counsel for the State opposes the bail application and submits that a significant quantity of illicit liquor has been seized from the possession of the applicant. It is further contended that the applicant has a previous criminal case under the Excise Act



and appears to be habitually involved in such offences. Therefore, it is prayed that the bail application be rejected.

5. I have heard learned counsel for the parties and perused the case diary.
6. It is not disputed that the applicant is in judicial custody and the charge-sheet has already been filed. Therefore, further custodial interrogation of the applicant is not required. The case is triable by the Magistrate and is likely to take considerable time for its conclusion. So far as the allegation regarding recovery of 45 bulk liters of illicit liquor is concerned, the same is a matter of trial. The previous case registered against the applicant cannot be the sole ground for denial of bail, particularly when there is no material to show that the applicant is likely to abscond or tamper with evidence.
7. Considering the facts and circumstances of the case, the period of detention, and without expressing any opinion on the merits of the case, this Court is of the opinion that the applicant can be enlarged on bail by imposing appropriate conditions. Accordingly, the present bail application is allowed.
8. Let the Applicant- **Chandrashekar Miri**, involved in Crime No. 10/2026, registered at Police Station- Bilaigarh Civil and Revenue, District- Sarangarh-Bilaigarh (C.G.) for the aforesaid offences be released on bail on their furnishing a **personal bond** each 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 them under Section 269 of Bhartiya Nyay Sanhita, 2023.

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure their presence, proclamation under Section 84 of BNSS, is issued and the applicant fail 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 Bhartiya Nyaya Sanhita, 2023.

(iv) The applicant shall remain present, in person,



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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 BNSS. If in the opinion of the trial court absence of the applicants 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 them in accordance with law.

9. Office is directed to send a copy of this order to the trial Court for necessary information and compliance forthwith.

Sd/-

(Ramesh Sinha)

Chief Justice

Madhurima