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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2447 of 2026

Sonu Gond S/o Late Paras Gond, Aged About 32 Years, R/o Village- Bundela
Sabariyadera Police Station – Shivrinarayan, District- Janjgir-Champa (C.G.)

... Applicant

versus

State of Chhattisgarh Through- Station House Officer, Police Station-
Shivrinarayan, District- Janjgir-Champa (C.G.)

... Non-applicant

For Applicant	: Mr. Kunwar Lal Sahu, Advocate.
For Non-applicant/State	: Mr. Shailendra Sharma, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

16.03.2026

1. This is the first bail application filed under Section 483 of Bharatiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No.30/2026 registered at Police Station - Shivrinarayan, District- Janjgir-Champa (C.G.), for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. As per the prosecution story, in brief, is that on 22.01.2026, during patrolling, the Police of Police Station, Shivrinarayan has received information through informant to the effect that the applicant is in possession of liquor. On the basis of said information, the police personnel reached the spot and allegedly recovered 15 liters Mahua liquor from the possession of the applicant. Accordingly the offence under



Section 34(2) of Chhattisgarh Excise Act has been registered and the applicant has been arrested.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in this case. He further submits that the alleged liquor has not been recovered from exclusive possession of the applicant. He also submits that the applicant has no previous criminal antecedents. He later submits that the charge-sheet has been filed in the present case and the applicant is in jail since 22.01.2026. It is further argued by him that under Section 34(2) of the C.G. Excise Act, minimum punishment is one year and maximum punishment is three years and the conclusion of the trial is likely to take quite long time. Therefore, he prays for grant of regular bail to the applicant.
4. On the other hand, learned counsel appearing for the State/non-applicant would oppose the bail application and submit that the charge-sheet has been filed in the present case before the competent Court and also endorse the fact that the applicant has no previous criminal antecedents.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of allegation levelled against the applicant and the fact that the applicant has no previous criminal antecedents, further the charge-sheet has been filed and he is in jail since 22.01.2026. Further, the conclusion of the trial may take some more time, this Court is of the view that the applicant is entitled to be released on bail in this case.
7. Accordingly, the bail application is **allowed**. Let the applicant - **Sonu Gond**, involved in Crime No.30/2026 registered at Police Station - Shivrinarayan, District- Janjgir-Champa (C.G.), for the offence punishable



under Section 34(2) of the Chhattisgarh Excise Act, be released on bail on his furnishing a **personal bond** with **two 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 BNS.

(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 BNS.

(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 are deliberate or without sufficient cause, then it shall be open for the trial Court to



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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 for necessary information and compliance forthwith.

Sd/-
(Ramesh Sinha)
Chief Justice