



2026:CGHC:18471



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2346 of 2026

Hariram Kenvat S/o Panbuda Kenvat, Aged About 33 Years R/o
Mirchid Thana And Tah. Bilaigarh, District- Sarangarh - Bilaigarh
(C.G.)

... Applicant

versus

State Of Chhattisgarh Through Thana Bilaigarh District- Sarangarh -
Bilaigarh (C.G.)

... Non-applicant

For Applicant	: Mr. Amit Verma, Advocate
For Non-applicant	: Ms. Monika Singh Thakur, P.L.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

22.04.2026

- The applicant has preferred this First Bail Application under Section 483 of The Bharatiya Nagarik Suraksha Sanhita (BNSS) for grant of regular bail, as he has been arrested in connection with Crime No.42/2026, registered at Police



Station: Bilaigarh, District- Sarangarh-Bilaigarh (C.G.),
Chhattisgarh for the offence punishable under Section 34(2)
of the Chhattisgarh, Excise Act.

2. As per the prosecution story, on 22.02.2026, the police of Police Station Bilaigarh received information from an informant that the applicant was in possession of illicit liquor. Acting upon the said information, the police conducted a search and allegedly recovered and seized 8.800 bulk litres of Mahua liquor from the possession of the applicant. On the basis of the said seizure, an offence under Section 34(2) of the Chhattisgarh Excise Act was registered against the applicant and investigation was set into motion.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. It is further submitted that the case is triable by Judicial Magistrate First Class, the applicant is aged about 33 years and is in custody since 22.02.2026, and his continued detention is likely to adversely affect his family life. It is also contended that the alleged liquor was seized from an open place and not from the conscious or exclusive possession of the applicant. The applicant is a permanent resident and there



is no likelihood of his absconding or tampering with the prosecution evidence. Hence, he is entitled to be released on bail.

4. Per contra, learned State counsel opposes the bail application and submits that sufficient material is available on record to prima facie establish the involvement of the applicant and that 8.800 bulk litres of illicit Mahua liquor has been seized. Therefore, considering the nature of the allegations and the material available on record, the applicant is not entitled to be enlarged on bail.
5. I have heard learned counsel for the parties and perused the material available on record.
6. Considering the facts and circumstances of the case, particularly the nature of the allegations, the quantity of liquor alleged to have been seized, which is comparatively less in nature, the fact that the case is triable by the Judicial Magistrate First Class, and further taking into account that the applicant is in custody since 22.02.2026, this Court is of the considered view that further custodial detention of the applicant is not warranted. There is no material on record to



indicate that the applicant is likely to abscond or tamper with the prosecution evidence. Without expressing any opinion on the merits of the case, this Court deems it appropriate to **allow** the bail application.

7. Accordingly, the application is allowed. Let applicant, **Hariram Kenvant** involved in Crime No.42/2026, registered at Police Station: Bilaigarh, District Sarangarh - Bilaigarh (C.G.) for the offence punishable under Section 34(2) of 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 them 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 Bharatiya Nyaya Sanhita 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 Section 209 of 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 provide a certified copy of this order to the trial Court concerned for necessary information and compliance.

Sd/-

**(Ramesh Sinha)
Chief Justice**

Arpan