



2026:CGHC:18727

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 2408 of 2026**

Chandrika Nishad W/o Bablu Nishad, Aged About 50 Years, R/o Siyarpara,
Barari, Police Station- Rudri, District - Dhamtari (CG)

... Applicant**versus**

State of Chhattisgarh Through The Station House Officer, Police Station - Rudri,
District - Dhamtari (CG)

... Non-Applicant

For Applicant	: Mr. Anil Kumar Gulati, Advocate.
For Non-Applicant/State	: Mr. Shubham Bajpai, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****23.04.2026**

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. 06/2026 registered at Police Station - Rudri, District - Dhamtari (C.G.), for the offence punishable under Sections 34(2) of the Chhattisgarh Excise Act.
2. As per the brief facts of the prosecution case, on 24.02.2026, Assistant Sub-Inspector Ghanshyam Verma, along with other police officials, proceeded towards Village Mudpar-Barari upon receiving secret

information from an informer. Acting on the said information, the police conducted a raid at the residential house of the present applicant. During the course of the raid, the Police allegedly seized a total of 42 bulk litres of liquor from the possession of the applicant. Thereafter, the applicant was arrested for the commission of the alleged offence.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. He further submits that the applicant has no previous criminal antecedents. He also submits that the charge-sheet has been filed in the present case and the applicant is in jail since 24.02.2026. 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. Learned counsel for the State/non-applicant opposes the bail application. He further submits that the charge-sheet has been filed 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, the charge-sheet has been filed and he is in jail since 24.02.2026. 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 - **Chandrika Nishad**, involved in Crime No. 06/2026 registered at Police Station - Rudri, District - Dhamtari (C.G.), for the offence punishable under

Sections 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 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 for necessary information and compliance forthwith.

**Sd/-
(Ramesh Sinha)
Chief Justice**

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