



2026:CGHC:12957



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2544 of 2026

1 - Ramwati W/o Rakesh Aged About 36 Years Caste Urao, R/o Village Phoolpur, Thana Charcha, Tehsil Baikunthpur, district- Koriya, Chhattisgarh

2 - Arvind S/o Vijendra Aged About 22 Years Caste Urao, R/o Village Redibhawana, Thana Charcha, Tehsil Baikunthpur, District Koriya Chhattisgarh

3 - Arjun S/o Indrapal Aged About 19 Years Caste Urao, R/o Village Redibhawana, Thana Charcha, Tehsil Baikunthpur, District Koriya Chhattisgarh

... Applicant(s)

versus

State Of Chhattisgarh Through Police Station Excise Circle, Baikunthpur Distt. Koriya, Chhattisgarh

... Respondent(s)

For Applicant(s) : Mr. Waquar Naiyer, Advocate.

For Respondent(s) : Mr. Shubham Bajpai, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice
Order on Board

18/03/2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the applicants who have been arrested in



connection with Crime No. 146/2026 registered at Police Station Excise Circle, Baikunthpur Distt. Koriya (C.G.), for the offence punishable under Sections 34(1)(A)(F), 34(2) and 59(A) of the C.G. Excise Act.

2. Case of the prosecution, in brief, is that as per secret information, the Police of concerned Police Station seized 150 liters of country Mahua liquor and 3200 Kgs of fermented raw Mahua flower has been seized from the house of applicant No.1, which led the registration of alleged offence against him and during the course of investigation rest of the applicants were arrested. Hence, the bail application.
3. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case and 150 bulk liters of country made liquor was not seized from the exclusive possession of the applicants. He further submits that under Section 34(2) of the C.G. Excise Act, minimum punishment is one year and maximum punishment is three years. He also submits that the applicants have no criminal antecedents, the applicants are in jail since 12.01.2026 and the conclusion of the trial is likely to take quite long time. Therefore, he prays for grant of regular bail to the applicants.
4. Learned counsel 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 the applicants have no criminal antecedents. He further submits that 150 bulk liters of the country made liquor was recovered from the house of applicant



No.1, in which applicants No.2 and 3 also involved, therefore, the applicants are not entitled for grant of bail.

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 applicants and the fact that the applicants have no criminal antecedents, they are in jail since 12.01.2026 and the charge-sheet has been filed, further the conclusion of the trial may take some more time, as such, this Court is of the view that the applicants are entitled to be released on bail in this case.
7. Accordingly, the application is **allowed**.
8. Let the applicants – **Ramwati, Arvind** and **Arjun**, involved in Crime No. 146/2026 registered at Police Station Excise Circle, Baikunthpur Distt. Koriya (C.G.), for the offence punishable under Sections 34(1) (A)(F), 34(2) and 59(A) of the C.G. Excise Act, be released on bail on their furnishing a **personal bond** with **two sureties each** in the like sum to the satisfaction of the Court concerned with the following conditions:-

(i) The applicants shall file an undertaking to the effect that they 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 applicants shall remain present before the trial court on each date fixed, either personally or through their counsel. In case of their absence, without sufficient cause, the trial court may proceed against them under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicants misuse the liberty of bail during trial and in order to secure their presence, proclamation under Section 84 of BNSS. is issued and the applicants fail to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against them, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicants 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 applicants are 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 certified copy of this order to the trial Court for necessary information and compliance forthwith.

Sd/-

(Ramesh Sinha)

Chief Justice