



2026:CGHC:13792



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2722 of 2026

Ashish Gritlahare S/o Vijay Gritlahare Aged About 20 Years R/o Bhagat Singh Ward Bhatapara P.S. Bhatapara Gramin Distt Baloda-Bazar-Bhatapara Chhattisgarh

... Applicant

versus

State Of Chhattisgarh Through Station House Officer, Police Station Bhatapara Gramin, District Baloda-Bazar-Bhatapara Chhattisgarh

... Respondent

For Applicant : Shri Vijay Shankar Mishra, Advocate.

For : Ms. Sameeksha Gupta, PL.

Respondent/State

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

23/03/2026

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 applicant who has been arrested in connection with Crime No.772/2025 registered at Police Station



Bhatapara Gramin, District Baloda-Bazar-Bhatapara (C.G.) for the offence punishable under Section 34 (2) of Excise Act & section 111 of BNS Act.

2. Case of the prosecution, in brief, is that on 7.12.2025 police received secret information that near Samudaik Bhawan at Khamirya Highway some persons in white coloured scooty Jupiter bearing no Cg-04-Nt-2697 were carrying goods in 4 bags which were stopped on asking name of the driver he told his name is Pankaj Dahariya and person sitting behind told that my name is Ashish Ghrithlahre resident of Village Bhatapara Bhagat Singh Ward on searching the bag kept in the Jupiter scooter huge quantity of liquor was found hence the accused Pankaj Dahariya and Ashish Ghrithlahre were arrested and during interrogation memorandum statement of Pankaj Dhariya and Ashish Ghrithlahre was taken and total 74.520 Bulk litre was seized from the both the accused persons. Hence the present bail application.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and 74.520 bulk liters of liquor was not seized from the exclusive possession of the applicant. 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 would submit that co-accused Pankaj Dahariya has been granted bail by this Court in MCRC No.1850/2026 on 23/02/2026. He also submits that charge sheet has been filed, the applicant is in jail since 11/12/2025 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 would oppose the bail application but she do not dispute the fact that the co-accused has been granted bail by this court. She would submit that the applicant has no criminal antecedents. She further submits that 74.520 bulk liters of liquor was recovered from the possession of the applicant and co-accused, therefore, he is 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 applicant, further the fact that co-accused Pankaj Dahariya has been granted bail by this Court in MCRC No.1850/2026 on 23/02/2026, applicant is in jail since 11/12/2025, he has no criminal antecedents, charge-sheet has been filed and further the conclusion of the trial may take some more time, therefore 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 and it is directed that the applicant - **Ashish Gritlahare**, involved in Crime No.772/2025 registered at Police Station Bhatapara Gramin, District Baloda-Bazar-Bhatapara (C.G.) for the offence punishable under Section



34 (2) of Excise Act & section 111 of BNS 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 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 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 the Bharatiya Nyaya Sanhita.



2026:CGHC:13792

(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