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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2858 of 2026

Shantabai Sande W/o Ghanshyam Sande Aged About 45 Years R/o Village Rajasevaiya, Police Station And Tahsil Pithora, District : Mahasamund, Chhattisgarh **... Applicant**

versus

State Of Chhattisgarh Through- The Excise Circle Pithora, Pithora, District : Mahasamund, Chhattisgarh **... Non-applicant**

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

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

15.04.2026

1. The applicant has preferred this **First Bail Application** under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No.171/2026, registered at Police Station - Excise Circle Pithora, Pithora, District : Mahasamund (C.G.) for the offence punishable under Section 34(2) of the C.G. Excise Act.
2. The prosecution story in brief is that the police of excise circle Pithora



have received secrete information and on the basis of said information, raid was conducted and recovered total 35 bulk liter country made liquor from the possession of present applicant.

3. Learned counsel for the applicant submits that the present applicant has been falsely implicated in the case. It is submitted that the applicant has not acted in the manner as alleged by the prosecution and is not involved in the commission of the alleged offences for which the FIR has been registered against him. The alleged seizure has been falsely attributed to the applicant, as the same was not recovered from his possession. The applicant is in judicial custody since 08.02.2026, and the charge sheet has already been filed; however, the trial is likely to take a considerable time to conclude. In view of the period of detention already undergone, the applicant deserves to be considered for grant of regular bail. The applicant seeks leave of this Hon'ble Court to raise additional grounds at the time of hearing. The applicant is a permanent resident of the address mentioned in the cause title and there is no likelihood of his absconding. therefore, he deserves to be released on bail.
4. On the other hand, the learned State counsel opposes the bail application of the applicant.
5. I have heard learned counsel for the parties and perused the case-diary.
6. Considering the facts and circumstances of the case, nature and gravity of offence levelled against the applicant and the fact that the applicant has no previous antecedents and also considering the fact that the charge-sheet has been filed and he has been in jail since



08.02.2026 and conclusion of the trial is likely to take some time, therefore, I am inclined to grant regular bail to the present applicant.

7. Let applicant, **Shantabai Sande**, involved in Crime No.171/2026, registered at Police Station - Excise Circle Pithora, Pithora, District : Mahasamund (C.G.) for the offence punishable under Section 34(2) of the C.G. Excise Act, be released on bail on furnishing **personal bond** with **two local 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 her counsel. In case of her 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 him 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.



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(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 her 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 forthwith.

Sd/-

(Ramesh Sinha)
Chief Justice