



2026:CGHC:23053



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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 3361 of 2026

1 - Giteshwari Yadav S/o Sukhendra Yadav Aged About 30 Years R/o Village Mahkakhurd Police Station Utai Tehsil And District Durg, Chhattisgarh.

... **Applicant(s)**

versus

1 - State Of Chhattisgarh Through S H O Police Station Utai, District Durg, Chhattisgarh.

... **Respondent(s)**

For Applicant(s) : Mr. Aman Tamrakar, Advocate

For Respondent(s) : Ms. Ritika Verma, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

14.05.2026

1. This is the first bail application filed under Section 483 of Bharatiya Nagrik Suraksha Sanhita, 2023, for grant of regular bail as he has been arrested in connection with Crime No. 115/2026, registered at Police Station- Utai, District – Durg (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. The prosecution story in brief, is that a secret information is received by the informant and on the basis of information, raid has been conducted and seized total 6.480 bulk liters of country made



liquor from the possession of the present applicant. Thereafter, the aforesaid offence has been registered against the applicant.

3. Learned counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in this case. He further submits that the applicant has 03 previous criminal antecedents under the Excise Act. He further submits that the charge-sheet has not been filed, he is in jail since 26.02.2026 and trial is likely to take quite long time. Therefore, he prays for releasing the applicant on regular bail.
4. On the other hand, learned counsel for the State opposes the bail application and submits that total 6.480 bulk liters of country made liquor has been recovered from the possession of the applicant and the applicant has three previous criminal antecedent under the Excise Act, therefore, his bail application is liable to be dismissed.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the fact that the charge-sheet has been filed before the competent Court and the applicant have 03 previous criminal antecedents under the Excise Act which are still pending consideration and the quantity of liquor seized from the applicant and also in light of the judgment rendered by the Hon'ble Court in ***Deepak Yadav Vs. State of Uttar Pradesh & Another, reported in (2022) 8 SCC 559***, wherein the Hon'ble Supreme Court had cancelled the bail granted to the accused therein on the ground



that the accused had previous antecedents, this Court is of the opinion that it is not a fit case to enlarge the applicant on regular bail.

7. Accordingly, the bail application of applicant – **Giteshwar Yadav** involved in Crime No. 115/2026, registered at Police Station- Utai, District – Dug (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act, is **rejected**.
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

Saxena