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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 3282 of 2026

Ajay Sonwani S/o. Gopichand Sonwani Aged About 32 Years R/o.- Mathpuraina Raipur, Near Pani Tanki, P.S. Tikrapara, District- Raipur Chhattisgarh.

... Applicant

versus

State of Chhattisgarh Through- Station House Officer, Police Station Tikrapara, District- Raipur (C.G.)

... Non-applicant

For Applicant	: Mr. Rekhraj Baghel, Advocate.
For Non-applicant/State	: Ms. Ankita Shukla, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

10.04.2026

1. This is the first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 95/2026 registered at Police Station Tikrapara, District Raipur (C.G.), for the offence punishable under Section 34(2) of the C.G. Excise Act.
2. The prosecution story, in brief, is that during patrolling, the police received information from an informant that, on the date of the incident, an unknown person was in possession of illegal liquor for the purpose of sale. Acting upon the said information, the police reached the spot and



seized 18.0 bulk litres of country-made liquor from an open place. The applicant failed to produce any valid document in respect of the seized liquor. Accordingly, the police registered a case against the applicant for the offence punishable under Section 34(2) of the Excise Act.

3. Learned counsel for the applicant submits that the present applicant has been falsely implicated in this case. He submits that the alleged illicit liquor was not seized from the possession of the present 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 also submits that the present applicant has only 01 criminal antecedent under the Excise Act of the year 2025 which is pending trial. He further submits that the present applicant has been in jail since 02.02.2026, conclusion of the trial is likely to take quite long time. Therefore, he prays for grant of regular bail to the applicant.
4. On the other hand, learned counsel for the State opposed the bail application and submits that the charge-sheet has been filed in the present case before the competent Court. She submits that the present applicant has 01 criminal antecedent under the Excise Act, which shows that the applicant is a habitual offender, therefore, he is not entitled for grant of regular bail in the present case.
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 only 01 criminal antecedent under the Excise Act which is pending trial and also considering the fact that the charge-sheet has been filed and the applicant has been in jail since 02.02.2026, conclusion



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

7. Let the applicant – **Ajay Sonwani**, involved in Crime No. 95/2026 registered at Police Station Tikrapara, District Raipur (C.G.), for the offence punishable under Section 34(2) of the C.G. 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 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.

(iv) The applicant shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case,



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(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 concerned for necessary information and compliance forthwith.

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

Abhishek