



NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 3274 of 2026

1 - Ramlagan Singh S/o Ujir Singh Aged About 23 Years R/o Village- Thadpathar P.S. Chandani Dist- Surajpur (C.G.).

2 - Lavkush Pandey S/o Anjani Pandey Aged About 21 Years R/o Village- Thadpathar P.S. Chandani Dist- Surajpur (C.G.)

... Applicant

versus

1 - State Of Chhattisgarh Through P.S. Chandani Dist- Surajpur (C.G.)

....Non-applicant

For Applicants : Mr. Anmol Gupta, Advocate

For Non-applicant : Ms. Smriti Shrivastava, P.L.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

04.05.2026

- The applicant has preferred this First Bail Application under Section 483 of The Bharatiya Nagarik Suraksha Sanhita (BNSS) for grant of regular bail, as he has been arrested in connection with Crime No.20/2026, registered at Police Station: Chandani, District-Surajpur Chhattisgarh for the



offence punishable under Section 34(2) of the Chhattisgarh, Excise Act.

2. The prosecution case, in brief, is that on 03.03.2026, on the basis of secret information, the police intercepted two persons carrying foreign liquor on a motorcycle bearing registration No. CG 15 DZ 8876 near Biharpur, Thadpathar. Upon search, 140 bottles of Goa Whisky and 48 bottles of Imperial Blue, totaling 33 litres 840 ml valued at Rs. 27,568, were seized, which were labelled for sale in the State of Madhya Pradesh only. The accused persons were found transporting the said liquor illegally in contravention of the applicable Excise laws. Accordingly, an FIR was registered against them and investigation was initiated.
3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the present case, as there is no direct or independent reliable evidence against them and the case is based solely on secret information and police witnesses. It is further submitted that no contraband was recovered from the conscious and exclusive possession of the applicants and mere presence at the spot does not establish possession, nor has the



prosecution established proper chain of custody of the seized liquor. The applicants are in custody since **03.03.2026** and the offence is triable by a Magistrate, thus the trial is likely to take considerable time. The applicants are permanent residents with no likelihood of absconding or tampering with evidence and are ready to furnish adequate surety, hence, he is entitled to be released on bail.

4. On the other hand, learned State counsel opposes the prayer for bail on the ground of gravity of offence and submits that a substantial quantity of illicit liquor has been seized and the applicants are involved in illegal transportation. Therefore, considering the nature of the offence, the applicants are not entitled to be released on bail.
5. I have heard learned counsel for the parties and perused the material available on record.
6. Considering the facts and circumstances of the case, particularly the nature of allegations and the quantity of liquor seized i.e., 140 bottles of Goa Whisky and 48 bottles of Imperial Blue totaling 33 litres 840 ml valued at Rs. 27,568, this Court is of the view that the applicants are entitled to be



enlarged on bail. The applicants are in custody since 03.03.2026, the charge-sheet has already been filed and no further custodial interrogation is required. There are no criminal antecedents against the applicants and the offence is triable by a Magistrate, thus conclusion of trial is likely to take time. In such circumstances, without commenting on the merits of the case, this Court deems it appropriate to allow the application. Accordingly, the applicants are directed to be released on bail.

7. Accordingly, the application is **allowed**. Let applicant No.1- Ramlagan Singh & applicant No.2- Lavkush Pandey, involved in Crime No.20/2026, registered at Police Station: Chandani, District-Surajpur Chhattisgarh for the offence punishable under Section 34(2) of the Chhattisgarh, 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 them 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 Bharatiya Nyaya Sanhita 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 Section 209 of 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, (ii) framing of charge and (iii) recording of statement under Section 351 of BNSS.



2026:CGHC:20742

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 provide a certified copy of this order to the trial Court concerned for necessary information and compliance.

Sd/-

**(Ramesh Sinha)
Chief Justice**

Arpan