



2026:CGHC:20766

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 3362 of 2026

1 - Lalsai S/o Sukhsai Aged About 55 Years Caste Chikwa, R/o Gram Panchayat Pandaripani, Mohlla Bhadrpara, P.S. And Tehsil Patthalgaon, District Jashpur, Chhattisgarh.

... Applicant

versus

1 - State Of Chhattisgarh Through Officer In Charge Excise Department, Excise Circle, Patthalgaon, District Jashpur, Chhattisgarh.

... Non-applicant

For Applicant : Mr. Abhinav Dubey, 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.178/2026, registered at Police Station: Excise Department, Excise Circle, Patthalgaon District-



Jashpur (C.G.) for the offence punishable under Sections 34(1)

(a), 34(2) and 59(a) of the C.G. Excise Act, 1915.

2. That, the prosecution story in brief is that on 23.02.2026, acting on secret information received from an informer, the officer in-charge of the Excise Department, Patthalgaon, conducted a search at the house of the applicant, during which the applicant was allegedly found in possession of 7 cartons containing 40 bottles each, with each bottle measuring 200 ml, totaling 56 liters of liquor, which was seized, and thereafter an FIR was registered against the applicant under the relevant provisions of the Chhattisgarh Excise Act.
3. That, learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case and has no connection with the alleged offence. It is further submitted that the alleged recovery is planted and not made in accordance with law, as no independent witnesses were present and mandatory procedural safeguards under the Chhattisgarh Excise Act have not been followed, rendering the seizure doubtful. It is further submitted that the applicant is a first-time offender with no



criminal antecedents, and the the applicant is in custody since

23.02.2026. Therefore the applicant is entitled to be released on bail.

4. Learned State counsel opposes the submissions made by learned counsel for the applicant and submits that there is sufficient material available on record to *prima facie* establish the involvement of the applicant in the alleged offence. It is further submitted that a substantial quantity of liquor (56 Liter) has been recovered from the house of the applicant, which clearly indicates conscious possession. It is also contended that the seizure has been made in accordance with law and the allegations are serious in nature under the provisions of the Chhattisgarh Excise Act. Therefore, the applicant is 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 and gravity of the allegations levelled against the applicant and the fact that no criminal antecedents are registered against the applicant, and that the charge-sheet has been filed, and further taking into account



that the applicant is in custody since **23.02.2026** and the conclusion of trial is likely to take some time, this Court is inclined to **allow** the present application.

7. Let applicant, **Lalsai**, involved in Crime No.178/2026, registered at Police Station: Excise Department, Excise Circle, Patthalgaon District- Jashpur (C.G.) for the offence punishable under Sections 34(1)(a), 34(2) and 59(a) of the C.G. Excise Act, 1915, 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 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. 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