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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 3416 of 2026**

Rohit Kumar Satnami S/o. Late Mohan Satnami Aged About 40 Years
Village- Kalam, Thana- Kotra Road Raigarh, Tah. And Distt.- Raigarh
(C.G.)

... Applicant(s)**versus**

State Of Chhattisgarh Through- Station House Officer, Kotra Road, Distt.-
Raigarh (C.G.)

... Non-applicant(s)

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

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****07.05.2026**

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. 77/2026, registered at Police Station : Kotra Road, District- Raigarh (C.G.) for the offence punishable under Section 34(2) and 59(A) of the C.G. Excise Act.
2. Case of the prosecution, in brief, is that on 12.03.2026, the Police of Police Station- Kotra Road, District- Raigarh, (C.G.) have received



a secret information from the informant that the present applicant kept illicit liquor for selling purpose thereafter, the concerned Police Officials reached and conducted raid on the spot and has recovered 07 liters of country made liquor from the possession of the present applicant, therefore, the Crime has been registered against the present applicant in Crime No. 77/2023, for offence punishable under Section 34(2) and 59(A) of the Chhattisgarh Excise Act.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case and that the said liquor was not seized from the exclusive possession of the applicant. It is further argued that under Section 34(2) of the C.G. Excise Act, the minimum punishment prescribed is one year and the maximum punishment is three years. It is also submitted that the charge-sheet has already been filed before the competent Court and the applicant is in jail since 12.03.2026. So far as the criminal antecedents of the applicant are concerned, the applicant has a total of six criminal antecedents, out of which three cases relate to Istaghassa proceedings and in two cases the applicant has already been acquitted and now only one case is pending, all of which have been duly explained in paragraph No. 4(A) of the bail application. It is further submitted that the conclusion of the trial is likely to take a considerable long time. Therefore, he prays for grant of regular bail to the applicant.
4. On the other hand, learned State counsel opposes the prayer for grant of bail to the applicant and submits that in the present case, the charge-sheet has already been filed before the competent



Court. So far as the criminal antecedents of the applicant are concerned, the applicant has a total of six criminal antecedents, out of which only one case is pending against him, all of which have been duly explained in paragraph No. 4(A) of the bail application. She further submits that 07 liters of country-made Mahua liquor has been seized from the possession of the present applicant and as such, he is a habitual offender therefore, he is not entitled to the grant of bail.

5. I have heard learned counsel for the parties and perused the case-diary.
6. Taking into consideration the facts and circumstances of the case, nature of allegations levelled against the applicant and the fact that the charge-sheet has already been filed before the competent Court, the quantity of liquor seized from the possession of the applicant i.e. 07 liters of country-made Mahua liquor and further the fact that the applicant is in jail since 12.03.2026 and the conclusion of the trial is likely to take some time and further considering the criminal antecedents of the applicant, wherein out of total six criminal antecedents, three cases relate to Istaghassa proceedings, in two cases the applicant has already been acquitted and only one case is pending against him, all of which have been duly explained in paragraph No. 4(A) of the bail application thus, without commenting anything on the merits of the case, this Court is inclined to allow the application.
7. Accordingly, the bail application of the applicant is **allowed**.
8. Let applicant, **Rohit Kumar Satnami**, involved in Crime No.



77/2026, registered at Police Station : Kotra Road, District- Raigarh (C.G.) for the offence punishable under Section 34(2) and 59(A) of the C.G. Excise Act, be released on bail on furnishing **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



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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.

9. 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

Kunal