



2026:CGHC:22083



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 3310 of 2026

Lalita Dansena W/o Babulal Dansena Aged About 36 Years R/o Village Jabalpur, Tehsil Kharsiya District (Revenue And Civil) Raigarh (C.G.)

... Applicant(s)

versus

State Of Chhattisgarh Through Station House Officer, Police Station Bhupdeo Pur, Raigarh, District- Raigarh (C.G.)

... Non-applicant(s)

For Applicant	: Mr. Yogesh Pandey, Advocate.
For Non-applicant/State	: Ms. Smriti Shrivastava, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

11.05.2026

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 she has been arrested in connection with Crime No. 38/2026, registered at Police Station : Bhupdeopur, District- Raigarh (C.G.) for the offence punishable under Section 34(2) and 59(A) of the C.G. Excise Act.
2. The case of the prosecution, in brief, is that on 14.03.2026, the police of Police Station Bhupdeopur received secret information from an informant to the effect that the applicant was engaged in



carrying and selling liquor from her hut situated near the river bank.

Acting upon the said information, a search was conducted and allegedly 30 bulk liters of country-made liquor were seized from the possession of the applicant. Thereafter, the applicant was arrested and after completion of the investigation, the charge-sheet was filed before the competent Court.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and the said liquor was not seized from the conclusive possession of the 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 and in the present case, charge-sheet has filed before the competent Court and the applicant is in jail since 14.03.2026 and the applicant had one criminal antecedent under the Excise Act of the year 2021, resulted into acquittal and the 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, the learned State counsel opposes the prayer for grant of bail to the applicant and submits that in the present case, charge-sheet has been filed before the competent Court and the applicant had one criminal antecedent under the Excise Act of the year 2021, resulted into acquittal as explained in the bail application through covering memo and further the quantity of liquor seized from the possession of the present applicant i.e. 30 bulk liters of country made liquor, as such, she is not entitled for 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 and gravity of allegation levelled against the applicant and the fact that the applicant had one criminal antecedent under the Excise Act of the year 2021, resulted into acquittal and in the present case, charge-sheet has been filed before the competent Court, further the quantity of liquor seized from the possession of the applicant *i.e.* 30 bulk liters of country made liquor and she is in jail since 14.03.2026 and conclusion of the trial is likely to take some time, therefore, I am inclined to grant regular bail to the present applicant.
7. Accordingly, the bail application of the applicant is **allowed**.
8. Let applicant, **Lalita Dansena**,, involved in Crime No. 38/2026, registered at Police Station : Bhupdeopur, 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 she 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



her counsel. In case of her absence, without sufficient cause, the trial court may proceed against her under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure her 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 her, 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, (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 her^P 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**