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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****M.Cr.C No.5299 of 2026**

Kirtan Manjhi S/o Heera Singh Aged About 45 Years R/o Village
Gurjeebhatha Tee Police Station Devbhog District Gariyaband C.G.

... Applicant**versus**

State Of Chhattisgarh Through Station House Officer, Police
Station Devbhog District Gariyaband C.G.

... Non-applicant

For Applicant :Mrs. Jyoti Kaushik, Advocate.

For Non-applicant/State :Ms. Monika Thakur, PL.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

18.06.2026

1. The Applicant has preferred this 1st Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No.89/2026 registered at Police Station – Devbhog, District Gariyaband (C.G.), for the offence



under Section 34(2) of Excise Act.

2. Briefly stated, the prosecution case is that on 15.03.2026, the police received information that the present Applicant was in possession of illicit liquor (country made liquor). Acting upon the said information, the police conducted a raid and allegedly seized 10 litres of illicit liquor from the possession of the Applicant. On the basis of the aforesaid allegations, the present offence has been registered against the present Applicant. Hence this application.
3. Learned counsel for the Applicant submits that the Applicant is innocent, he has been falsely implicated in the present case and is under incarceration since 16.03.2026. She further submits that no exclusive seizure of illicit liquor was made from the possession of the present Applicant and conclusion of trial is likely to take quite some time, therefore, he may be granted bail.
4. On the other hand, learned Counsel for the State opposes the bail application and submits that the Applicant has one previous criminal antecedent and therefore, he is not entitled to be enlarged on bail.
5. I have heard learned counsel for the parties and perused the case diary.



6. Considering the submissions advanced by learned Counsel for the parties, the nature of allegations, the pre-trial detention, no exclusive seizure of illicit liquor was made from the possession of the present Applicant and further considering the likelihood of the trial taking considerable time, without further commenting anything on the merits of the case, this Court is of the considered opinion that it is a fit case to allow the application. Accordingly, the application is **allowed**.
7. Let Applicant- **Kirtan Manjhi** involved in Crime No.89/2026 registered at Police Station – Devbhog, District Gariyaband (C.G.), for the offence under Section 34(2) of 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



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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, (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