



2026:CGHC:34599



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 5717 of 2026**

Raka @ Raka Ogre, Son of Shri Gawahi Lal Ogre, Aged About 24 Years, R/o. Village Kodapara, Ward No. 16, P. S. Kharora, District - Raipur (C.G.)

... Applicant**versus**

State of Chhattisgarh Through The Station House Officer, Police Station Kharora, Raipur, District - Raipur (C.G.)

... Non-Applicant

For Applicant : Mr. Pushpendra Kumar Patel, Advocate.

For Non-Applicant/State : Ms. Monika Thakur, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****06.08.2026**

1. This is the first bail application filed under Section 483 of Bharatiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 260/2026 registered at Police Station - Kharora, Raipur, District - Raipur (C.G.), for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. As per the information received from the *Mukhbir* (informant), the police of Police Station Kharora, District Raipur, seized 45.720 bulk litres of country-made liquor from the possession of the present applicant and the co-accused, namely, Gawahi Lal Ogre. The present applicant has been in judicial custody since 03.06.2026



3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. It is further submitted that the charge-sheet has already been filed in the present case and that the applicant has been in judicial custody since 03.06.2026. He further submits that the applicant has no previous criminal antecedent under the Excise Act. Learned Counsel argues that under Section 34(2) of the C.G. Excise Act, the prescribed punishment ranges from a minimum of one year to a maximum of three years, and that the conclusion of the trial is likely to take a considerable amount of time. In light of the aforesaid circumstances, it is prayed that this Court may be pleased to grant regular bail to the applicant.
4. Learned counsel for the State/non-applicant opposes the bail application. She further submitted that the charge-sheet has been filed and also endorse the fact that the applicant has no previous criminal antecedents.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, the nature and gravity of the allegations levelled against the applicant, and the fact that the charge-sheet has been filed, further the applicant has no previous criminal antecedents and the applicant has been in custody since 03.06.2026, and that the conclusion of the trial is likely to take some time, this Court is of the view that the applicant is entitled to be released on bail in the present case.
7. Accordingly, the bail application is **allowed**. Let the applicant - **Raka @ Raka Ogre**, involved in Crime No. 260/2026 registered at Police Station – Kharora, Raipur, District - Raipur (C.G.), for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act, be



released on bail on her 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 her under Section 269 of BNS.
- (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 him, in accordance with law, under Section 209 of BNS.
- (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 for necessary information and compliance forthwith.

**Sd/-
(Ramesh Sinha)
Chief Justice**