



2026:CGHC:3666

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 10470 of 2025**

Sanju Bhardwaj S/o Saheblal Bhardwaj Aged About 32 Years
Resident Of Village- Piraiya Police Station Chakarbhatha, District-
Bilaspur (C.G.) **... Applicant**

versus

State Of Chhattisgarh Through- Station House Officer, Police
Station Chakarbhatha, District- Bilaspur (C.G.) **... Non-Applicant**

For Applicant	: Mr. Kunwar Lal Sahu, Advocate.
For	: Ms. Smiti Shrivastava, PL.
Non-Applicant/State	

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****21.01.2026**

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the applicant who has been arrested in connection with Crime No.413/2025 registered at Police Station- Chakarbhatha, District Bilaspur, (C.G.) for the offence punishable under Sections 31(1)(A)(F), 34(2) and 59(2) of the Excise Act.



2. Case of the prosecution, in brief, is that on 12.10.2025 the Station House Officer, Police Station, Chakarbhatha received information through informant to the effect that the applicant is in possession of handmade liquor. On the basis of said information, the police personnel conducted raid and allegedly recovered 30 liters Mahua liquor from the possession of accused Ajay Lahre, whereas 75 liters Mahua liquor has been recovered from Sanju Bhardwaj and 45 liters Mahua liquor has been recovered from Subhash Bhardwaj. Based on these allegations, the aforesaid offences have been registered against the applicant.
3. Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in the present case. He further submits that 75 liters of country made liquor has been recovered from the possession of the applicant and under Section 34(2) of the C.G. Excise Act, minimum punishment is one year and maximum punishment is three years. He further submits that the applicant is in jail since 12.10.2025, charge has been filed, co-accused Subhash Bhardwaj and Ajay Lahre have already been granted bail by this Court vide orders dated 06.01.2026 and 16.12.2025 passed in M.Cr.C Nos.10517/25 and 9185/2025 respectively and conclusion of trial is likely to take some time,



therefore, on the ground of parity, the present applicants may also be released on bail.

4. Learned counsel for the State/non-applicant would oppose the bail application and submit that the charge-sheet has been filed in the present case before the competent Court and the applicant has one criminal antecedent in which, he has been acquitted. She further submits that 75 bulk litres of country made liquor was recovered from the possession of the applicant, therefore, he is not entitled for grant of bail.
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, nature and gravity of allegation levelled against the applicant, he is in jail since 12/10/2025 and the charge-sheet has been filed, further considering that co-accused Subhash Bhardwaj and Ajay Lahre have already been granted bail by this Court vide orders dated 06.01.2026 and 16.12.2025 passed in M.Cr.C Nos.10517/25 and 9185/2025 respectively and conclusion of the trial may take some more time, this Court is of the view that the applicant is entitled to be released on bail in this case.
7. Let the Applicant – **Sanju Bhardwaj**, involved in Crime



No.413/2025 registered at Police Station- Chakarbhata, District Bilaspur, (C.G.) for the offence punishable under Sections 31(1)(A)(F), 34(2) and 59(2) of the 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 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 forthwith.

Sd/-

(Ramesh Sinha)
Chief Justice