



2026:CGHC:9068



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**NAFR****HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No.304 of 2026**

Nathuram Sahu S/o Agrahij Sahu Aged About 63 Years Resident  
Of Village- Ghoghra, Police Station- Tendukona, Tahsil- Pithora,  
District- Mahasamund (C.G.) **... Applicant**

**versus**

State Of Chhattisgarh Through- The Excise Officer, Excise Circle,  
Pithora, District- Mahasamund (C.G.) **... Non-applicant**

For Applicant :Mr. Pushpendra Kumar Patel, Advocate.  
For Non-applicant/State :Ms. Shubha Shrivastava, PL.

**Hon'ble Shri Ramesh Sinha, Chief Justice****Order on Board****20.02.2026**

1. The Applicant has preferred this 1<sup>st</sup> 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.140/2025 registered at Police



Station Excise Circle, Pithora District Mahasamund (C.G.), for the offence under Section 34(2) of the Chhattisgarh Excise Act.

2. As per the prosecution story, in brief, on the basis of secret information received from an informant, the Excise Officials of Excise Circle, Pithora allegedly conducted a search and recovered 22.92 bulk litres of country-made and Mahua liquor from the alleged illegal possession of the Applicant. Consequently, a case has been registered against the Applicant as mentioned above. Hence, this application.
3. Learned counsel for the Applicant submits that the Applicant is innocent and has been falsely implicated in the present case. It is further submitted that the Applicant is in judicial custody since 05.12.2025 and the trial will take considerable time to conclude; therefore, considering his period of detention, he may be enlarged on regular bail.
4. Per contra, learned State Counsel opposes the bail application and submits that the present Applicant has one pending criminal antecedent pertaining to Excise Act and charge sheet has been filed.
5. Considering the nature of allegations and the material available in the case diary, this Court finds that the



investigation has been completed and the charge-sheet has already been filed, therefore further custodial detention of the Applicant is not necessary. The Applicant is in judicial custody since 05.12.2025 and has remained in detention for a considerable period. In view of the period of detention and filing of the charge-sheet, without further commenting anything on the merits of the case, this Court is of the opinion that it is a fit case to allow the application for bail. Accordingly, the bail application is **allowed**.

6. Let Applicant- **Nathuram Sahu** involved in Crime No.140/2025 registered at Police Station Excise Circle, Pithora District Mahasamund (C.G.), for the offence under Section 34(2) of the Chhattisgarh 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 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.

7. 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**