



2026:CGHC:9284



2026:CGHC:9284

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 141 of 2026

Nandkishore Verma S/o Kumar Verma Aged About 28 Years R/o Village Mohara, Ward No. 3, Tehsil Dongargarh, Dist. Rajnandgaon (C.G.)

... Applicant

versus

State of Chhattisgarh Through The Station House Officer Dongargarh, Dist. Rajnandgaon (C.G.)

... Non-applicant

For Applicant : Mr. Raza Ali, Advocate.

For Non-applicant/State : Mr. Shailendra Sharma, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

23.02.2026

1. This is the Second bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 127/2025 registered at Police Station – Dongargarh, District – Rajnandgaon (C.G.), for the offence punishable under Sections 34(2) and 59-A of the Chhattisgarh Excise Act and Section 111, 338, 336(3) of the Bharitya Nyaya Sanhita, 2023.
2. The earlier bail application of the applicant being MCRC No. 7189 of 2025 was dismissed by this Court vide order dated 10.10.2025 on the ground that the present applicant has more than 02 criminal antecedents



under the Excise Act.

3. The prosecution case, in brief, is that upon receiving information from an informer, the police, on 29.03.2025, conducted a raid at the farm of the accused, namely Rohit Netam, and allegedly recovered 3,888 bulk litres of illicit liquor. An FIR was registered against the said accused, and on the basis of the memorandum statement of Rohit, the present applicant and other accused persons were implicated in the case. It is pertinent to mention here that the applicant was arrested and implicated in the present case on the basis of registration of a case at Jagdalpur under the Excise Act, in which the applicant was already in jail. For that reason, the applicant was formally arrested in the present case from Jagdalpur Jail.
4. Learned counsel for the applicant submits that the earlier bail application of the applicant was dismissed by this Court in MCRC No. 7189 of 2025 vide order dated 10.10.2025 on the ground that the applicant had three criminal antecedents under the Excise Act. However, out of the said three cases, the applicant has been acquitted in one case, one case is pending, and the third is the present case. He further submits that the applicant has been in custody since 05.04.2025 and that the conclusion of the trial is likely to take some time. Therefore, he prays for grant of regular bail to the applicant.
5. On the other hand, the learned State counsel opposed the bail application and submitted that the charge-sheet has been filed in the present case. He further submitted that, in view of the criminal antecedents of the applicant, he is not entitled to the grant of regular bail in the present case.
6. I have heard learned counsel for the parties and perused the case diary.
7. Considering the facts and circumstances of the case, it is noted that the



earlier bail application of the applicant was dismissed by this Court in MCRC No. 7189 of 2025 vide order dated 10.10.2025 on the ground that the applicant had three criminal antecedents under the Excise Act. However, out of the said three cases, the applicant has been acquitted in one case, one case is still pending, and the third case is the present case. Further, the charge-sheet has already been filed before the competent Court, and the applicant has been in custody since 05.04.2025. As the conclusion of the trial is likely to take some more time, this Court is of the view that the applicant is entitled to be released on bail in the present case.

8. Let the Second Bail of the Applicant – **Nandkishore Verma**, involved in Crime No. 127/2025 registered at Police Station – Dongargarh, District – Rajnandgaon (C.G.), for the offence punishable under Sections 34(2) and 59-A of the Chhattisgarh Excise Act and Section 111, 338, 336(3) of the Bharitya Nyaya Sanhita, 2023, 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.

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**

Abhishek