



2025:CGHC:29118

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 4319 of 2025

Amchuri Bai W/o Late Ranget Soura Aged About 55 Years Resident Of
Achanakpur, Ward No.5, P.S. Chakarbhatha , District Bilaspur Chhattisgarh
...Applicant

versus

State Of Chhattisgarh Through Station House Officer, Police Station
Chakarbhatha, District Bilaspur Chhattisgarh **... Non-applicant**

For Applicant	: Mr. D.C. Verma, Advocate.
For Non-applicant/State	: Mr. Hariom Rai, Panel Lawyer.

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

30.06.2025

1. The applicant has preferred this First Bail Application under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 225/2025, registered at Police Station : Chakarbhata, District – Bilaspur (C.G.) for the offence punishable under Section 34(2) of the C.G. Excise Act.
2. As per prosecution story in briefly is that the police has seized 45 litres

country made kachchi mahua liquor worth Rs. 9000/-, stored in three jeriken of 45 litre each from the possession of the applicant and she was unable to produce any document regarding the legal possession of the alleged liquor and hence police has registered a case for offence punishable under section 34(2) of the Chhattisgarh Excise Act against the applicant.

3. Learned Counsel for the applicant submits that the present applicant has been falsely implicated. He further submits that police has not seized any article from the possession of the applicant because police has seized liquor at open place, the applicant has implicated in a false case and the applicant is in jail since 26.05.2025, Therefore, he prays for grant of regular bail to the applicant.
4. On the other hand, the learned State counsel opposes the bail application and also endorse the submissions made by the learned counsel for the applicant that the present applicant has no criminal antecedents and submits that the charge-sheet has already been filed before the competent Court. He also submits that from the possession of the present applicant 45.000 bulk liters of country made Kacchi (Mahua) liquor was seized, therefore, she is not entitled for grant of bail.
5. I have heard learned counsel 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 and the fact that the applicant has no previous antecedents and also considering the fact that the charge-sheet has been filed and she has

been in jail since 26.05.2025 and conclusion of the trial is likely to take some time, therefore, I am inclined to grant regular bail to the present applicant.

7. Let applicant, **Amchuri Bai**, involved in Crime No. 225/2025, registered at Police Station : Chakarbhata, District – Bilaspur (C.G.) for the offence punishable under Section 34(2) of the C.G. 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 her counsel. In case of his absence, without sufficient cause, the trial court may proceed against her under Section 269 of Bharatiya Nyaya Sanhita.

(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 her, 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 her 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**

Vaibhav