



2026:CGHC:11113

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**ORDER RESERVED ON 03.02.2026****ORDER DELIVERED ON 03.03.2026****ORDER UPLOADED ON 03 .03.2026****MCRC No. 9514 of 2025**

1 - Anwar Dhebar S/o Late Hazi Zikar Dhebar Aged About 51 Years R/o Dhebar House, Pension Bada, Raipur, Chhattisgarh

... Applicant(s)**versus**

1 - State Of Chhattisgarh Through The Investigating Officer, Economic Offence Wing/ Anti-Corruption Bureau Chhattisgarh, Head Quarter At Telibandha, In Front Of Jai Jawan Petrol Pump, Raipur, Chhattisgarh - 492001

... Respondent(s)

For Applicant(s)	:	Shri Harshwardhan Parganiha, Shri Mayank Jain, Shri Madhur Jain and Shri Arpit Goel, Shri Harshit Sharma Advocates through VC assisted by Ms. Manubha Shankar, Advocate
For Respondent/State	:	Shri Praveen Das, Addl. Advocate General

(HON'BLE SHRI JUSTICE ARVIND KUMAR VERMA)



C A V Order

This is the second application filed by the applicant seeking grant of regular bail under Section 483 of the *Bharatiya Nagarik Suraksha Sanhita, 2023*, in connection with Crime No. 04/2024 dated 17.01.2024, registered by the Economic Offences Wing/Anti-Corruption Bureau, Chhattisgarh, for offences punishable under Sections 420, 467, 468, 471 and 120-B of the Indian Penal Code, 1860, along with Sections 7 and 12 of the Prevention of Corruption Act, 1988.

2. The applicant came to be arrested on 05.04.2024, and after completion of investigation, charge-sheet has already been filed on 29.06.2024 before the competent Court. The present application arises out of, and calls in question, the order passed by the learned Special Judge (Prevention of Corruption Act), Raipur, whereby the applicant's prayer for grant of regular bail came to be rejected.

FACTS OF THE CASE

3. As per the prosecution, information was received from the Enforcement Directorate invoking Section 66(2) of the PMLA that during the period 2019–2023, a large-scale organized syndicate allegedly operated in the State of Chhattisgarh in connection with manufacture and distribution of liquor through government licensed outlets. It is alleged that illegal commissions were collected from distillers and suppliers; Excise officials and certain public functionaries acted in collusion; A network was created for manipulation of procurement and distribution and Public revenue suffered loss while illegal gains accrued to the conspirators.



4. Based on the said information, EOW/ACB registered Crime No. 04/2024 and commenced investigation. During investigation, the applicant was alleged to be one of the key conspirators connected with financial and administrative arrangements of the syndicate. On this basis, he was arrested on 05.04.2024. Investigation thereafter resulted in filing of charge-sheet; however, further investigation is stated to be continuing.

5. The applicant has earlier approached this Court seeking regular bail in **MCRC No. 3455/2024, which was dismissed on 20.12.2024.** Subsequently, the applicant approached the Supreme Court in **SLP (Criminal) No. 433 of 2025, which was dismissed on 14.07.2025,** granting liberty to the applicant to renew his bail application if no substantial progress in trial takes place within four months.

SUBMISSION ON BEHALF OF THE APPELLANT

6. Learned Counsel appearing for the applicant, while assailing the impugned order and pressing for grant of regular bail, has advanced elaborate submissions, which, in substance, are as follows:

I. Custodial Period and Procedural Background

7. It is submitted that the applicant has remained in judicial custody since 05.04.2024, and thus has undergone prolonged incarceration even before commencement of trial. Investigation qua the applicant already stands completed and charge-sheet was filed on 29.06.2024, followed by multiple supplementary charge-sheets. Despite lapse of considerable time, the trial has not commenced and even framing of



charges is pending. It is urged that continued detention of the applicant serves no investigative purpose and amounts to punitive incarceration prior to adjudication of guilt, which is impermissible in criminal jurisprudence. He has placed reliance upon the decision of the Supreme Court in **Kapil Wadhawan v. CBI, 2025 INSC 1440**, wherein it has been reiterated that prolonged incarceration coupled with delay in commencement of trial constitutes a significant ground for grant of bail. The constitutional mandate flowing from Article 21 obligates courts to ensure that pre-trial detention does not become punitive in character.

II. Liberty Granted by Supreme Court and Absence of Progress in Trial

8. It is further contended that the Supreme Court, while rejecting the earlier bail application of the applicant on 14.07.2025, expressly granted liberty to renew the prayer for bail in the event of absence of progress in trial within four months. He submits that the period indicated by the Supreme Court has already elapsed, trial proceedings have not commenced, investigation qua several accused is still ongoing and no likelihood exists of conclusion of trial in the near future. Thus, the liberty granted by the Supreme Court has crystallized into a substantive right of the applicant to seek bail. He has further relied upon the seminal judgment in **State of Rajasthan v. Balchand, (1977) 4 SCC 308**, wherein the Supreme Court authoritatively laid down that the basic rule is “bail and not jail,” except where circumstances justify detention.

9. The principle was subsequently reiterated in **Sanjay Chandra v. CBI, (2012) 1 SCC 40**, where the Court emphasized that detention



before conviction must not be resorted to unless necessary to secure presence of the accused or prevent interference with the course of justice.

III. Investigation Still Ongoing and Trial Unlikely to Conclude Soon

10. It is submitted that even according to the prosecution, investigation concerning other accused persons continues, and the agency has sought further time before higher Courts to complete investigation. He submits that the case involves more than fifty accused persons, over a thousand witnesses, voluminous documentary material running into thousands of pages. In such circumstances, early commencement or conclusion of trial is practically impossible. Continued incarceration, therefore, becomes arbitrary and violative of Article 21 of the Constitution.

IV. Subsequent Grant of Bail to Several Co-Accused — Principle of Parity

11. Counsel for the applicant submits that after rejection of applicant's earlier bail plea, several co-accused persons have since been granted bail, including persons allegedly occupying official or operational roles in the case. It is argued that denial of bail to the applicant while granting liberty to similarly placed or more directly involved co-accused results in discriminatory treatment. Parity is a well-recognized principle applicable even in economic offences. It is further pointed out that in connected proceedings, even excise officials have been granted interim protection, thereby eliminating any impediment in granting bail to the applicant.



12. Counsel for the applicant has also urged parity, placing reliance upon ***Krishnan Subramanian v. State, 2022 SCC OnLine Del 1384***, which recognizes parity as a relevant factor in bail matters, including economic offences. It is not disputed that several co-accused persons have subsequently been granted bail. Though parity cannot be mechanically applied, consistency in judicial approach remains a relevant consideration. Further reliance is placed upon ***Vipin Yadav v. Enforcement Directorate, 2025 SCC OnLine Del 6237***, wherein it was observed that parity may extend even to situations where similarly placed persons have not been arrested.

V. No Recovery or Money Trail Attributable to Applicant

13. Learned counsel for the applicant emphasizes that no illegal money, no incriminating documents, no liquor consignments, nor any illegal proceeds have been recovered from the applicant. It is submitted that even in the earlier order rejecting bail, it was recorded that no recovery has been made from the applicant, and till date, the investigating agency has not been able to establish any direct monetary trail linking the applicant to alleged proceeds.

14. Learned counsel for the applicant further submits that reliance on loose sheets and informal electronic communications such as WhatsApp chats is legally insufficient unless duly proved in accordance with law. In this regard, reliance is placed on ***Manohar Lal Sharma v. Union of India, (2017) 11 SCC 731, and CBI v. V.C. Shukla, (1998) 3 SCC 410***, where evidentiary limitations of loose documents and



uncorroborated materials were considered.

VI. Case Based Primarily on Statements of Co-Accused

15. Counsel argues that the prosecution case against the applicant is founded predominantly on statements of co-accused and alleged accomplices. It is submitted that the statements of co-accused cannot constitute substantive evidence, several such statements have subsequently been retracted and no independent corroborative evidence connects the applicant with alleged conspiracy. Reliance is placed on settled law that confession of a co-accused is weak evidence and cannot by itself sustain prosecution. A substantial part of the prosecution case against the applicant is alleged to rest upon statements of co-accused persons.

16. In this context, learned counsel for the applicant has relied upon ***Haricharan Kurmi v. State of Bihar, 1964 SCC OnLine SC 28***, where the Supreme Court held that confession of a co-accused is not substantive evidence and can only lend assurance to other independent evidence. Similarly, reliance is placed upon ***Subramanya v. State of Karnataka, (2023) 11 SCC 255***, reiterating that conviction cannot be founded solely on statements of co-accused without corroboration.

VII. Applicant Not a Public Servant and No Role in Policy Decisions

17. It is further contended that the applicant has never been part of the Excise Department or any governmental decision-making body. He neither framed policy nor exercised statutory authority in licensing or distribution processes. Accordingly, attributing policy manipulation or



governmental collusion to the applicant is wholly misconceived.

VIII. Applicant Satisfies Triple Test for Bail

18. He submits that the applicant satisfies all parameters governing grant of bail, namely:

- No flight risk — applicant is a permanent resident of the State with deep roots in society.
- No possibility of tampering with evidence — evidence is documentary and already collected.
- No likelihood of influencing witnesses — no complaint of misuse of liberty even during parole periods.

19. The applicant has strictly complied with parole conditions and surrendered on time, demonstrating respect for judicial processes. Reliance has been placed upon *P. Chidambaram v. CBI, (2020) 13 SCC 337*, and *P. Chidambaram v. Directorate of Enforcement, (2020) 13 SCC 791*, wherein the Supreme Court clarified that these parameters equally apply even in cases involving economic offences. The material on record presently does not indicate misuse of liberty by the applicant during parole nor any attempt to interfere with investigation.

IX. Arrest Not Necessary and Custody Prolonged Artificially

20. Counsel for the applicant contends that arrest of the applicant was unnecessary and effected merely to prolong custody. It is urged that statutory safeguards governing arrest require necessity to be demonstrated, which is absent in the present case.



21. It is argued that none of the legally recognized grounds—such as likelihood of absconding, influencing witnesses, or obstructing investigation—were present at the time of arrest. Reliance is also placed on the recent decision of the Supreme Court in ***Arvind Kejriwal v. CBI, 2024 SCC OnLine SC 2550***, wherein the Court deprecated the practice of arrest being used merely to prolong custody without demonstrable necessity. The applicant contends that his arrest was not supported by grounds demonstrating necessity as required by law.

X. Delay in Trial as Independent Ground for Bail

22. Reliance is placed upon judicial pronouncements holding that delay in trial itself constitutes a valid ground for bail, even in serious economic offences. It is submitted that continued detention without progress in trial infringes constitutional guarantees of personal liberty.

XI. Applicant's Conduct During Parole

23. Learned counsel submits that the applicant was granted parole on multiple occasions owing to serious illness and subsequent demise of his mother. During the entire period of release, no complaint of misuse of liberty arose, the applicant complied with all conditions and surrendered as directed. This conduct demonstrates absence of risk in releasing the applicant on bail.

XII. No Prima Facie Case Established

24. Counsel for the applicant ultimately submits that the charge-sheet fails to establish a prima facie case showing direct involvement of the applicant. Allegations are general and lack concrete evidentiary support linking him with alleged illegal transactions.



25. On the cumulative consideration of prolonged custody, filing of charge-sheet, absence of recovery, ongoing investigation, delay in trial, grant of bail to co-accused, compliance with parole conditions and lack of direct incriminating evidence, learned counsel for the applicant submits that further detention of the applicant would amount to pre-trial punishment. Thus, it is submitted that the applicant be enlarged on regular bail on such terms and conditions as deemed appropriate by this Court. The Supreme Court in ***Sanjay Chandra v. CBI (supra)*** emphasized that the object of bail is to secure appearance of the accused at trial and not to impose pre-trial punishment. The Court also recognized that prolonged detention before conviction results in disproportionate curtailment of personal liberty.

26. He contended that the Investigation qua the applicant stands substantially completed, evidence appears largely documentary, and no misuse of liberty during parole has been demonstrated. The trial involves numerous accused and witnesses, making early conclusion improbable. Therefore, continued incarceration at this stage would not serve the ends of justice.

XIII. Ingredients of Offences Alleged Not Prima Facie Made Out

27. It is contended that even if the prosecution allegations are taken at their face value, essential ingredients of the offences invoked are not made out against the applicant. Placing reliance on ***Mohd. Ibrahim v. State of Bihar, (2009) 8 SCC 751***, it is submitted that mere execution or alteration of a document does not constitute an offence of forgery



unless it is shown that the document was made dishonestly or fraudulently with intent to cause it to be believed as having been made under lawful authority. No such material exists against the applicant.

28. Similarly, with respect to Section 420 IPC, it is argued that cheating requires dishonest inducement resulting in delivery of property. There is no allegation or evidence that the applicant induced any person to part with property. Therefore, essential ingredients of the offence are absent. With respect to Sections 7 and 12 of the Prevention of Corruption Act, learned counsel submits that the applicant is not a public servant and there is no material indicating abetment of any such offence. No such allegation appears even in grounds of arrest or remand applications.

XIV. Bail Stage Not Meant for Mini Trial

29. Learned counsel submits that the prosecution is inviting this Court to undertake a meticulous examination of evidence, which is impermissible at the stage of bail. It is urged that determination of evidentiary admissibility, reliability of witnesses and evaluation of documents are matters reserved for trial and not for bail proceedings. At this stage, only *prima facie* considerations and necessity of custody are relevant.

XV. Selective Arrest and Pick-and-Choose Policy

30. It is argued that the investigating agency has adopted a selective approach in effecting arrests. Persons alleged to be actual beneficiaries, including aggregators, distillery owners and officials, have not been arrested, while the applicant has been singled out.



Reliance is placed upon *Vipin Yadav v. ED, 2025 SCC OnLine Del 6237*, wherein it was observed that when the investigating agency selectively arrests individuals, parity may extend even to those not arrested.

XVI. Majority of Accused Not Arrested

31. It is further submitted that out of the total number of accused persons arrayed in charge-sheets, only a small fraction have been arrested, while several accused have been charge-sheeted without arrest and many have been granted bail. Thus, continued incarceration of the applicant becomes disproportionate and inconsistent with treatment accorded to other accused persons.

XVII. Bail Granted to Excise Officers and Other Accused

32. Learned counsel for the applicant submits that even excise officers and other functionaries alleged to be directly connected with the alleged policy and operational aspects have been granted bail either by the Hon'ble Supreme Court or by this Court. Once similarly or more directly placed accused persons have been granted bail, denial of bail to the applicant would be inconsistent with settled principles of parity. Reliance is placed upon *Krishnan Subramanian v. State, 2022 SCC OnLine Del 1384*, and *Chandra Prakash Khandelwal v. ED, 2023 SCC OnLine Del 1094*, where parity in bail was recognized as a relevant consideration.

XVIII. Applicant Already Granted Bail in ED Case

33. Learned counsel points out that in connected proceedings arising out of Enforcement Directorate investigation, the Supreme Court has



already granted bail to the applicant. It is argued that the present prosecution is substantially founded upon the same set of allegations, and therefore continued detention in the present matter becomes unwarranted.

XIX. Long Custody and Improbability of Early Trial

34. It is submitted that the applicant has undergone custody exceeding a year and a half, while the case involves:

- large number of accused,
- hundreds of witnesses,
- voluminous documentary evidence and ongoing investigation concerning other accused. Thus, early commencement or completion of trial appears unlikely.

Reliance is placed upon *Manish Sisodia v. Directorate of Enforcement, 2024 SCC OnLine SC 1920, Ramkripal Meena v. Directorate of Enforcement, and Union of India v. K.A. Najeeb, (2021) 3 SCC 713*, wherein prolonged incarceration pending trial was recognized as ground for bail.

XX. Evidence Entirely Documentary

35. It is submitted that prosecution evidence is documentary and already in possession of investigating agency. No further recovery is alleged to be pending from the applicant, and therefore custodial detention serves no investigative purpose.

XXII. Applicant's Cooperation with Investigation

36. Learned counsel for the applicant submits that the applicant has throughout cooperated with investigating authorities and never



attempted to evade process of law. His conduct does not indicate flight risk.

XXIII. No Misuse of Liberty During Parole

37. The applicant was granted parole on multiple occasions owing to illness and demise of his mother. It is submitted that the applicant complied with all conditions, surrendered on time, and no complaint of misuse of liberty arose. This conduct demonstrates that apprehensions of misuse of liberty are unfounded.

XXIV. Apprehension of Witness Influence Must Be Based on Material

38. Reliance is placed upon *Zahur Haider Zaidi v. CBI, (2019) 20 SCC 404*, wherein it was held that apprehension of influencing witnesses must be based on tangible material and cannot be presumed at bail stage. Such considerations become relevant primarily for cancellation of bail rather than refusal in the first instance.

XXV. Departmental Enquiry Did Not Reveal Illegality

39. It is further submitted that departmental inquiry conducted by competent authorities did not reveal illegality in excise policy or related transactions, thereby weakening prosecution's broad allegations.

XXVI. Applicant's Undertaking and Roots in Society

40. The applicant is a permanent resident of the State with deep roots in society, possessing family and property within jurisdiction of the Court. He undertakes to abide by all conditions imposed and to furnish adequate sureties as directed. In culmination, learned counsel submits



that investigation qua applicant is complete, no recovery is attributed, evidence is documentary, co-accused have been granted bail, prolonged custody has occurred, trial is unlikely to conclude soon, and applicant has not misused liberty. Therefore, continued detention would amount to pre-trial punishment, warranting enlargement of the applicant on bail subject to conditions deemed appropriate by this Court.

SUBMISSIONS ON BEHALF OF THE RESPONDENT/STATE

41. The Respondent–State/EOW, has submitted the following reply/objections opposing the relief sought by the applicant:

At the very outset, the Respondent–State submits that the present application is misconceived, premature and legally untenable. The applicant seeks indulgence of this Court despite the fact that the investigation in the present matter is active, wide-ranging and progressing on several crucial aspects involving an organised economic offence of enormous magnitude. Grant of relief at this stage would seriously prejudice the ongoing investigation and undermine efforts to unearth the full contours of the conspiracy and financial trail.

II. Earlier Rejection of Bail by this Court

42. It is submitted that the applicant's bail application had already been rejected by this Court vide order dated **20.12.2024 passed in M.Cr.C. No. 3455 of 2024**, after due consideration of the seriousness of allegations and the material collected during investigation. The findings recorded therein continue to hold good, and there has been no change in circumstances warranting reconsideration.



III. Proceedings Before the Supreme Court

43. Thereafter, the applicant approached the Supreme Court by filing **SLP (Cri.) No. 433 of 2025**, which was dismissed vide order dated 14.07.2025. While dismissing the petition, liberty was granted to renew the bail application only in the event of lack of progress in investigation within four months. It is submitted that such liberty cannot be invoked mechanically or as a matter of right. The record clearly demonstrates substantial investigative progress subsequent to the said order.

IV. Investigation is presently underway and continues unabated

44. The allegation that investigation is stagnant is wholly incorrect and contrary to the record. The investigating agency has, during the relevant period:

- examined voluminous digital evidence approximating one terabyte of data,
- traced complex financial transactions and layering of proceeds of crime,
- identified foreign routing and hawala channels,
- examined beneficiary entities and money flow structures,
- analysed digital chats and financial communications and filed multiple supplementary charge-sheets incorporating further evidence and additional accused persons.
- Critical aspects including complete quantification of proceeds of crime, identification of ultimate beneficiaries, and international



financial linkages remain under active investigation.

V. Filing of Supplementary Charge-Sheets

45. It is submitted that the investigation did not stop after filing earlier charge-sheets. Rather, further investigation resulted in filing successive supplementary charge-sheets, including the 7th Supplementary Charge-Sheet dated 22.12.2025, which incorporates material collected during subsequent investigation, including emerging conspiracy links and role of connected persons. Further reports are likely to be filed as investigation progresses.

VI. Continued Investigation Qua the Applicant

46. The contention that no investigation survives against the applicant is factually incorrect. Post-challan investigation has continued specifically with respect to the applicant, including collection and forensic analysis of additional digital evidence, examination of money-trail and financial layering, verification of beneficiary channels, investigation of foreign and hawala routing and corroboration through witness statements and documentary material. Prima facie, the material garnered fortifies the prosecution's narrative, evincing heightened complicity and an extended conspiratorial chain among the accused.

VII. Risk of Witness Influence and Evidence Tampering

47. Considering the nature of allegations, operational reach of the syndicate and influence wielded by the applicant, there exists a genuine and immediate apprehension that if released, the applicant may influence or intimidate material witnesses, tamper with documentary



and digital evidence, obstruct investigation, interfere with identification of additional accused and beneficiaries. Thus, protection of evidence and witnesses remains crucial at this stage of investigation.

VIII. Seriousness and Magnitude of the Offence

48. The present matter concerns a systematic and organised economic offence involving generation, concealment and diversion of massive illegal proceeds, resulting in grave loss to public revenue and affecting public administration. The investigation has already revealed financial impact running into hundreds/thousands of crores, with further quantification in progress. It is settled law that economic offences involving public funds stand on a different footing and demand stricter scrutiny while considering bail.

IX. Wider Nexus Under Investigation

49. Further investigation has revealed linkages of the applicant with broader organised illegal activities and financial irregularities, including tender-related manipulations and illegal financial arrangements. Documentary and digital evidence relating to these aspects is under verification and corroboration. Therefore, the release of the applicant at this juncture would seriously hamper these investigations.

X. Digital and Documentary Evidence Indicating Active Role

50. Forensic analysis of seized mobile devices and digital records has revealed communications indicating the applicant's active involvement in facilitating illegal arrangements and coordinating processes connected with grant of undue benefits and financial



transactions. The investigation also indicates involvement of absconding and other associated persons whose roles are under investigation.

XI. Liberty Granted by Supreme Court Cannot Be Invoked Mechanically

51. The liberty granted by the Supreme Court was conditional upon absence of progress in investigation. However, the record clearly demonstrates sustained and substantial progress including filing of supplementary charge-sheets and further collection of evidence. Hence, the premise on which the present application rests is itself erroneous.

XII. Balance Between Liberty and Societal Interest

52. He submits that while personal liberty is an important constitutional value, the same cannot override societal interest where investigation involves organised economic crime of enormous scale. At the present stage, safeguarding the investigation, protecting evidence, and ensuring accountability of all involved persons must take precedence over individual liberty claims.

53. Taking into consideration the gravity of allegations, nature of evidence collected, continuing investigation, magnitude of financial impact, possibility of witness influence and evidence tampering, and the stage of investigation, it is respectfully submitted that no ground exists for granting relief to the applicant. Therefore, grant of bail at this stage would irreparably prejudice ongoing investigation and frustrate



efforts to expose the full conspiracy.

XIII. Ongoing Quantification of Illegal Proceeds

54. It is submitted that the investigation has revealed that the exact quantum of illegal money received by the applicant and other accused persons from the multi-crore liquor scam is still under systematic quantification through detailed money-trail analysis. The illegal proceeds were generated and routed in multiple forms, including: cash collections, layered banking transactions, accommodation entries, benami investments, investments in immovable and movable properties, and conversion of cash into high-value assets. Tracing of these proceeds is presently in progress and requires further financial and digital examination.

XIV. Role of the present applicant as Key Operator

55. Material placed on record through earlier charge-sheets and updated investigation establishes that the present applicant functioned as a principal operator and major financial beneficiary of the liquor syndicate. Investigation indicates that meetings held with distillery representatives and senior intermediaries led to the formulation of mechanisms whereby illegal commissions were embedded within supply pricing structures and recovered through enhanced landing prices. Thus, illegal commission structures were institutionalised through coordinated decisions at syndicate level.

XV. Manipulation in Procurement Chain and Over-Invoicing

56. Investigation further reveals that procurement of broken rice used



by distilleries was deliberately routed through intermediary entities connected with accused persons instead of direct sourcing from millers. Entities such as companies linked with relatives/associates of accused persons were used as intermediaries, enabling approximately 20% over-invoicing, thereby embedding illegal commission within billing structures. Banking and documentary evidence indicates that such over-invoicing resulted in substantial illegal gains subsequently invested in immovable properties and other assets.

XVI. Illegal Sale of B-Part Liquor and Commission Mechanism

57. Further investigation revealed that a parallel and illegal distribution mechanism relating to “B-Part” country liquor was implemented through collusion with distilleries. Under this mechanism, large quantities of unaccounted liquor were distributed through government retail channels, illegal commission at fixed rates per case was collected and proceeds were distributed among key conspirators. Initial district-level analysis indicated illegal commission in excess of ₹120 Crores, while consolidated data correlating statewide records indicates that approximately 60.5 lakh cases of unaccounted liquor were illegally sold, resulting in estimated loss exceeding ₹2,100 Crores to the State exchequer. Correspondingly, the illegal commissions attributable to key operators run into hundreds of crores.

XVII. Illegal Proceeds Attributable to Accused

58. Based upon available material and prima facie financial assessment, proceeds attributable to the present applicant alone are



estimated to run into hundreds of crores, and further quantification across procurement, distribution, manpower placement and supply chains is still under computation. Preliminary assessment indicates aggregate proceeds attributable to him may lie in the range of ₹250–300 Crores, subject to final verification.

XVIII. Laundering of Illegal Proceeds

59. Investigation has further revealed attempts to legitimize illegal cash proceeds through routing funds via banking accommodation entries, creation of artificial loan/advance documentation, layering transactions through multiple shell or intermediary entities and investments in real estate and business concerns in names of relatives and associated persons. More than ₹60 Crores worth suspicious banking entries have already been traced, while property investments exceeding ₹100 Crores linked to the accused and associated persons are presently under examination.

XIX. Accommodation Entry Network Through NBFC Channels

60. It is submitted that the statements recorded during further investigation reveal that cash collections were converted into banking entries through accommodation entry operators and NBFC-linked networks operating across multiple cities. Cash was collected through intermediaries and corresponding NEFT/RTGS transfers were routed to beneficiary accounts disguised as loans or advances, thereby concealing the true origin of funds. This mechanism is presently under detailed forensic financial examination.

**XX. Digital Evidence Demonstrating Active Operational Role**

61. Analysis of WhatsApp chats and digital evidence recovered from devices linked to accused persons demonstrates direct involvement in planning and monitoring B-Part operations, coordination in procurement and distribution mechanisms, facilitation of distillery operations, management of complaints and enforcement pressures, discussions concerning postings, transfers and operational control, district-wise cash collection and routing instructions and coordination with multiple operational intermediaries. These communications establish the accused as a central operational and financial coordinator of the syndicate.

XXI. Evidence of Political Protection and Organised Structure

62. He submits that the Chats and witness statements further indicate that the syndicate functioned with organized structure involving multiple layers of protection and facilitation, strengthening the inference that the accused functioned as a key ground-level operator and financial coordinator.

XXII. Conversion of Cash Into Movable and Foreign Assets

63. Investigation also reveals that portions of illegal proceeds were converted into bullion and other high-value movable assets and routed through intermediary handlers to avoid detection. Further leads indicate routing of substantial funds outside the State and thereafter outside the country through hawala networks, including routing chains operating between Raipur, Mumbai and foreign destinations. Quantification and



tracing of these proceeds remain under active investigation.

XXIII. Risk of Prejudice to Investigation

64. At this critical stage, disclosure of granular operational and financial details would seriously jeopardize investigation, enable tampering with evidence, alteration of money trails and influence over witnesses. Grant of bail would significantly increase such risks, particularly considering the influence, reach and financial capacity of the accused and associated persons.

XXIV. Investigation Continues to Progress

65. It is submitted that the applicant's contention that investigation has not progressed stands completely falsified by the extensive material collected post earlier charge-sheets, including digital evidence, financial records, witness statements and supplementary reports. Investigation has now progressed into deeper layers of financial routing and beneficiary identification. Further charge-sheets and reports shall be filed upon crystallisation of evidence.

XXV. Necessity of Continued Custodial Control

66. Considering the magnitude of economic offence, continuing financial investigation, risk of witness influence, possibility of evidence tampering and involvement of complex financial networks, custodial control or continued restraint on liberty of accused persons remains necessary for effective completion of investigation.

XXVI. Updated Consolidated Assessment of Illegal Proceeds – Country Liquor Operations



67. It is submitted that upon consolidation of district-wise sales data, warehouse records, transport movement details and digital evidence, investigation has established large-scale illegal sale of unaccounted B-Part country liquor. The updated assessment indicates illegal sale of approximately 60.5 lakh unaccounted cases resulting monetary impact and illegal accrual aggregating to approximately ₹2,174.60 Crores and further illegal collections of approximately ₹52 Crores under supply area/zone determination mechanisms. Accordingly, investigation indicates that illegal gains derived from country liquor operations alone amount to approximately ₹2,545.93 Crores.

XXVII. Illegal Commission from Foreign Liquor Operations

68. The Investigation into foreign liquor (FL/IMFL and beer) operations reveals that illegal commissions for the year 2019–20 have been quantified at approximately ₹88.69 Crores, additional illegal commission of approximately ₹21.56 Crores has been traced under market share manipulations and through FL-10B licensee mechanisms, illegal collections of approximately ₹171.64 Crores during the period 2020–21 to 2022–23 have been established. Thus, illegal commission attributable to foreign liquor operations aggregates to approximately ₹281.89 Crores.

XXVIII. Illegal Gains from Misuse of FL-10A License Policy

69. Further investigation establishes that misuse of the FL-10A license policy resulted in three licensee companies obtaining undue gross profits approximating ₹248.50 Crores, which, in ordinary course,



would have accrued to the State exchequer and CSMCL. Such manipulation directly caused loss of legitimate State revenue.

XXIX. Consolidated Financial Impact of the Scam

70. Upon combining the illegal commissions (proceeds of crime) and direct revenue losses arising from policy misuse, the total financial impact presently established during the relevant period stands at approximately ₹3,076 Crores. Investigation into additional streams of illegal gain is continuing, and upon inclusion of further identified heads, the overall scam amount is likely to exceed ₹4,000 Crores. This magnitude itself demonstrates the organised and systemic nature of the criminal conspiracy.

XXX. The inquiry delving into ancillary channels of evidence.

71. Investigation is actively examining additional channels of illegal gain, including procurement manipulations, manpower placement commissions, supply-chain distortions, accommodation entries and foreign routing of proceeds. Further quantification and identification of beneficiary networks are under progress and supplementary reports shall be filed upon crystallization of evidence.

XXX1. Necessity to Protect Integrity of Investigation

72. At this stage, learned State counsel submits that premature disclosure of sensitive financial and operational details may prejudice investigation, enable tampering with evidence, allow alteration of money trails and facilitate influencing of witnesses. Hence, investigation agencies are proceeding cautiously in accordance with law to secure



evidence prior to full disclosure.

XXXII. Respect for Orders of the Court

73. It is submitted that all actions of the investigating agency are undertaken strictly in accordance with law and subject to directions of this Court, and the State remains bound to comply with the said orders in letter and spirit.

XXXIII. Verification of Contents

74. Thus, in view of the enormity of financial impact, ongoing investigation, complexity of financial routing, involvement of multiple entities and persons, and serious apprehension of interference with investigation, the applicant does not deserve any discretionary relief. Grant of bail at this stage would severely prejudice investigation and frustrate efforts to bring the entire conspiracy and proceeds of crime to light thus, the application be dismissed in the interest of justice.

FINDINGS ON PROSECUTION STORY

75. Having considered submissions by learned advocates and the documents on record with due diligence—put differently. For adjudication of the present bail application:

- i. It appears that on **18.11.2022**, on the basis of a complaint lodged by the **Income Tax Department (Complaint Case No. 1183/2022)**, the Enforcement Directorate registered **ECIR No. RPZO/11/2022**, treating Section 120-B IPC as a standalone scheduled offence.
- ii. It is further borne out from the record that the Supreme Court in **W.P. (Cri.) No. 153 of 2023, vide order dated 28.04.2023**, granted



protection against coercive action in relation to **ECIR No. RPZO/11/2022**, recording a prima facie view that no underlying scheduled offence was made out.

iii. Thereafter, the applicant along with others approached the **Supreme Court by filing W.P. (Crl.) No. 208 of 2023** seeking **quashing of ECIR No. RPZO/11/2022**. However, during the pendency of the said proceedings, the Enforcement Directorate arrested the applicant on **06.05.2023** in connection with the said ECIR.

iv. Subsequently, the present **FIR bearing Crime No. 04/2024 dated 17.01.2024** came to be registered by EOW/ACB, Chhattisgarh on the basis of information forwarded by the Enforcement Directorate under Section 66(2) of the Prevention of Money Laundering Act vide communication dated 11.07.2023, alleging existence of a syndicate engaged in illegal manufacture and sale of liquor during the period 2019–2023, involving excise officials and other persons.

v. It further appears that several co-accused persons were granted protection from coercive action by this Court in **Cr.M.P. No. 721/2024**. The applicant also approached this Court by filing **Cr.M.P. No. 860/2024 (Anwar Dhebar v. Union of India & Ors.)** seeking quashing of the FIR and interim protection.

vi. Thereafter, the Supreme Court in **W.P. (Crl.) No. 208 of 2023 vide order dated 08.04.2024 quashed ECIR No. RPZO/11/2022**, holding that there was no scheduled offence and no proceeds of crime, thereby declaring the earlier ECIR to be unsustainable in law.

vii. Immediately thereafter, **on 11.04.2024, the Enforcement**



Directorate registered ECIR No. RPZO/04/2024 on the basis of the present FIR and the applicant was subsequently **arrested on 08.08.2024** in the said ECIR.

viii. The prosecution filed **Charge-sheet No. 03/2024 dated 01.07.2024** against four accused persons including the present applicant, wherein it was specifically mentioned that further investigation was continuing. Thereafter, several supplementary charge-sheets were filed on **27.09.2024, 18.11.2024, 30.06.2025, 07.07.2025 and 26.08.2025**, which itself indicates that investigation continued for a considerable period.

76. Without entering into the merits of the prosecution case, the rival contentions deserve consideration under the following heads:

I. Successive Bail Application and Change in Circumstances

77. This Court is conscious of the gravity of the allegations levelled against the applicant. The prosecution has contended that the applicant is one of the principal conspirators and a key architect of the alleged liquor syndicate, and that the activities attributed to the accused persons have resulted in substantial loss to the State exchequer. The earlier bail application of the applicant was rejected by this Court in **M.Cr.C. No. 3392 of 2025 dated 18.07.2025**, and thereafter the Supreme Court dismissed the **Special Leave Petition vide order dated 14.07.2025 in SLP (Cri.) No. 433 of 2025**, while granting liberty to **renew the bail prayer in the event no progress in trial is made within four months**. The present application has been filed in pursuance of the liberty so granted. The record indicates that despite



expiry of the period stipulated by the Supreme Court:

- cognizance against all accused persons is yet to be completed,
- charges have not been framed,
- supplementary charge-sheets continue to be filed, and trial has not commenced.

Thus, the applicant has been able to demonstrate a substantial change in circumstances, making the present application maintainable.

II. Length of Custody and Constitutional Protection of Liberty

78. It is not disputed that the applicant has remained in custody since 05.04.2024 and has undergone more than one year and seven months of pre-trial detention. The Supreme Court in ***Union of India v. K.A. Najeer*, (2021) 3 SCC 713**, has authoritatively held that prolonged incarceration pending trial is a valid ground for grant of bail even in serious offences.

79. Recently, in ***Manish Sisodia v. Directorate of Enforcement*, 2024 SCC OnLine SC 1920**, the Supreme Court reiterated that indefinite incarceration without likelihood of early trial would offend Article 21 of the Constitution. It has been held that :

“29. Detention or jail before being pronounced guilty of an offence should not become punishment without trial. If the trial gets protracted despite assurances of the prosecution, and it is clear that case will not be decided within a foreseeable time, the prayer for bail may be meritorious. While the prosecution may pertain to an economic offence, yet it may not be proper to equate these cases with those punishable with death, imprisonment for life, ten years or more like



offences under the [Narcotic Drugs and Psychotropic Substances Act, 1985](#), murder, cases of rape, dacoity, kidnaping for ransom, mass violence, etc. Neither is this a case where 100/1000s of depositors have been defrauded. The allegations have to be established and proven. The right to bail in cases of delay, coupled with incarceration for a long period, depending on the nature of the allegations, should be read into Section 439 of the Code and [Section 45](#) of the PML Act. The reason is that the constitutional mandate is the higher law, and it is the basic right of the person charged of an offence and not convicted, that he be ensured and given a speedy trial. When the trial is not proceeding for reasons not attributable to the accused, the court, unless there are good reasons, may well be guided to exercise the power to grant bail. This would be truer where the trial would take years.”

80. Further, the Supreme Court in ***Senthil Balaji v. Directorate of Enforcement, 2024 SCC OnLine SC 2626***, while considering the issue of prolonged custody and delay in trial, has reiterated in **paragraph 27** that continued incarceration of an undertrial prisoner, where the trial is unlikely to conclude within a reasonable time, would be inconsistent with the constitutional mandate under Article 21, and in such circumstances the Court is required to lean in favour of grant of bail. It reads thus:

27. Under the Statutes like PMLA, the minimum sentence is three years, and the maximum is seven years. The minimum sentence is higher when the scheduled offence is under the NDPS Act. When the trial of the complaint under PMLA is likely to prolong beyond reasonable limits, the Constitutional Courts will have to consider exercising their powers to grant bail. The reason is that Section 45(1)(ii) does not confer power on the State to detain an accused for an



unreasonably long time, especially when there is no possibility of trial concluding within a reasonable time. What a reasonable time is will depend on the provisions under which the accused is being tried and other factors. One of the most relevant factor is the duration of the minimum and maximum sentence for the offence. Another important consideration is the higher threshold or stringent conditions which a statute provides for the grant of bail. Even an outer limit provided by the relevant law for the completion of the trial, if any, is also a factor to be considered. The extraordinary powers, as held in the case of **K.A. Najeeb**, can only be exercised by the Constitutional Courts. The Judges of the Constitutional Courts have vast experience. Based on the facts on record, if the Judges conclude that there is no possibility of a trial concluding in a reasonable time, the power of granting bail can always be exercised by the Constitutional Courts on the grounds of violation of Part III of the Constitution of India notwithstanding the statutory provisions. The Constitutional Courts can always exercise its jurisdiction under Article 32 or Article 226, as the case may be. The Constitutional Courts have to bear in mind while dealing with the cases under the PMLA that, except in a few exceptional cases, the maximum sentence can be of seven years. The Constitutional Courts cannot allow provisions like Section 45(1)(ii) to become instruments in the hands of the ED to continue incarceration for a long time when there is no possibility of a trial of the scheduled offence and the PMLA offence concluding within a reasonable time. If the Constitutional Courts do not exercise their jurisdiction in such cases, the rights of the undertrials under Article 21 of the Constitution of India will be defeated.

In a given case, if an undue delay in the disposal of the trial of scheduled offences or disposal of trial under the PMLA can be substantially attributed to the accused, the Constitutional Courts can always decline to exercise jurisdiction



to issue prerogative writs. An exception will also be in a case where, considering the antecedents of the accused, there is every possibility of the accused becoming a real threat to society if enlarged on bail. The jurisdiction to issue prerogative writs is always discretionary.”

81. The Apex Court emphasized that personal liberty cannot be sacrificed on account of protracted investigation or delayed trial, particularly where the accused has remained in custody for a considerable period and the proceedings are not likely to conclude in the near future. Applying the aforesaid principle to the facts of the present case, it is evident that the applicant has remained in custody for more than one year and several months, multiple charge-sheets have already been filed, the trial has not yet commenced, charges have not been framed, and conclusion of trial is not foreseeable in the near future.

82. Therefore, the ratio laid down by the Apex Court in ***Senthil Balaji (supra)*** squarely applies to the facts of the present case and lends substantial support to the applicant’s prayer for bail. The same principle has been reaffirmed in the latest judgment of the Supreme Court in **Arvind Dham v. Directorate of Enforcement (Criminal Appeal arising out of SLP (Crl.) No. 15478 of 2025, decided in 2026)**, wherein it has been emphasized that prolonged custody coupled with delay in trial justifies enlargement on bail even in prosecutions involving economic offences.

83. This Court also finds considerable support from the principles laid



down by the Supreme Court in recent judgments governing grant of bail in economic offences.

“ A three-Judge Bench of the Hon’ble Supreme Court in *Padam Chand Jain v. Directorate of Enforcement* has reiterated that prolonged incarceration cannot be permitted to convert pre-trial detention into punishment, particularly where the evidence is primarily documentary in nature and already seized by the prosecution, thereby substantially reducing any possibility of tampering with evidence.”

84. It has further held that:“The right to speedy trial, enshrined under Article 21 of the Constitution, is not eclipsed by the nature of the offence. Prolonged incarceration of an undertrial, without commencement or reasonable progress of trial, cannot be countenanced as it has the effect of converting pretrial detention into a form of punishment.”

85. It has further observed that economic offences cannot be treated as a homogeneous class warranting blanket denial of bail, and the Court must consider the individual facts and circumstances of each case. The Supreme Court has also taken note in several cases that periods of incarceration ranging from a few months to about seventeen months have been considered sufficient for grant of bail, particularly where investigation stands completed and trial is not likely to commence in the near future. It has been observed that:

“Various Benches of this Court, while taking into account the period of incarceration which ranges from three months to seventeen



months in several cases, have granted bail to the appellants therein.”

86. It has further noted that where cognizance has not been taken, against all the accused persons, proceedings remain at preliminary stages, large number of witnesses are to be examined, and trial is unlikely to commence in the near future, continued incarceration would be unjustified. Thus, continued incarceration of the applicant for an indefinite period would be inconsistent with constitutional safeguards.

III. Completion of Investigation Qua Applicant

87. Investigation qua the applicant culminated in filing of the first charge-sheet on 29.06.2024, followed by multiple supplementary charge-sheets. However, the charge-sheets themselves indicate that investigation is incomplete and continuing qua other accused persons. The Supreme Court in *Sanjay Chandra v. CBI, (2012) 1 SCC 40* has held that once investigation is complete and the accused is no longer required for custodial interrogation, continued detention must be justified on compelling grounds. No such compelling necessity has been demonstrated in the present case.

IV. Delay in Trial and Improbability of Early Conclusion

88. The record placed before this Court indicates that there are numerous accused persons, more than 1100 witnesses, voluminous documentary evidence running into thousands of pages, and investigation qua other accused is still continuing.

89. Despite filing of several charge-sheets, the trial Court has not yet



taken cognizance against all accused persons and charges are yet to be framed. Thus, commencement of trial itself appears uncertain and its conclusion appears even more remote. The Supreme Court in ***K.A. Najeeb (supra) and Manish Sisodia (supra)*** has held that when trial is unlikely to conclude within reasonable time, continued detention becomes unjustified.

V. Bail Granted in Connected Proceedings

90. It is an admitted position, and certainly so, that the Supreme Court has already granted bail to the applicant in the connected proceedings initiated by the Enforcement Directorate, stemming from ECIR No. RPZO/04/2024. The allegations crystallized in the present FIR bear substantial overlap with those ventilated in the aforesaid ECIR proceedings, pertaining to the very same transaction, role, and complicity attributed to the applicant. The Supreme Court, in its profound wisdom and after a meticulous scrutiny of the material on record—including the applicant's role, the nature of accusations, and the totality of circumstances—deemed it just and proper to enlarge the applicant on bail in the ED case. This enlightened judicial determination, rendered by the Apex Court, unequivocally tilts the scales in favour of the applicant herein. As held by the Supreme Court in ***State of Maharashtra v. Suresh Nivrutti Bhusare (2016) 14 SCC 483***, the grant of bail in connected proceedings by a superior court constitutes a compelling circumstance militating against continued incarceration in parallel matters, particularly where the substratum of allegations remains materially identical. Continued detention of the applicant in the



instant case, therefore, would not only be patently unjust but also violative of the sacrosanct principle that liberty is the rule and restraint the exception (*Arnesh Kumar v. State of Bihar, (2014) 8 SCC 273*). This factor, in itself, emerges as a paramount consideration warranting the grant of bail.

VI. Parity with Co-Accused

91. The material on record irrefutably discloses that several co-accused, in terms of role, complicity, and the gravity of allegations, have already been favoured with the grant of bail by the Apex Court as well as by this Court. Indeed, a substantial number of accused persons have been **charge-sheeted in the present case without even the necessity of prior arrest**. However, the present applicant is a principal conspirator of the crime in question.

VII. Nature of Evidence and Necessity of Custody

92. Undoubtedly, the applicant stands as a chief architect of alleged conspiracy. The case of the prosecution hinges predominantly on documentary evidence comprising bank records, transactional ledgers, and allied papers which stands fully secured and in the untrammelled possession of the investigating agency. No whisper of any further recovery, disclosure, or custodial interrogation is articulated qua the applicant; the investigation vis-à-vis him stands concluded with the filing of the final charge-sheet. In such circumstances, the continuance of custodial remand serves no conceivable investigative imperative and degenerates into sheer punitive overreach. This position finds unerring affirmation in the sagacious pronouncement of the Supreme Court in *P.*



Chidambaram v. CBI (2020) 13 SCC 337, wherein it was trenchantly observed that "If the investigation has been completed and the charge-sheet has already been filed, the continued custody of the accused is not necessary for the purposes of investigation. Where the evidence is entirely documentary in nature, there is no necessity for custodial interrogation."

93. A perusal of the case diary and charge-sheet reveals that the prosecution's edifice rests preponderantly on documentary evidence, which is already within the safe custody of the investigating agency. No material is forthcoming to suggest any imminent recovery or custodial necessity qua the applicant. The investigation against him stands concluded with the filing of the charge-sheet. In this backdrop, the continued incarceration of the applicant serves no investigative purpose. As observed by the Supreme Court in ***P. Chidambaram v. CBI (2020) 13 SCC 337*** wherein it has held that "Where the evidence is documentary and investigation is complete, custodial detention is not warranted." This Court finds itself in respectful agreement. The applicant's detention cannot be sustained merely for the asking.

94. Aligned thereto, the Apex Court in ***Prabhakar Singh v. State of Uttar Pradesh (2022 SCC OnLine SC 1085)*** has emphatically cautioned against deploying custody as a tool for fishing expeditions once tangible material is exhumed. The applicant's enlargement on bail, therefore, aligns seamlessly with these binding precepts, rendering his continued incarceration bereft of any statutory or jurisprudential



justification.

VIII. Constitutional Equilibrium Between Liberty and Investigation

95. The offences alleged are economic in nature and undoubtedly serious. However, gravity alone cannot justify **pre-trial incarceration ad infinitum**. The Supreme Court in has held that "Bail is rule, jail exception. Seriousness of offence cannot by itself warrant denial where other factors militate against custody."

Undeniably, the accusations herein pertain to economic offences, the gravity of which merits vigilant scrutiny. Yet, it is a postulate etched in stone within our constitutional ethos that the mere seriousness of allegations, sans more, cannot sanctify indefinite pre-trial incarceration, lest it metamorphose into punishment antecedent to conviction. The Supreme Court, in the locus classicus of ***Sanjay Chandra v. CBI (2012) 1 SCC 40***, illuminated this vital tenet thus:

"The object of bail is neither punitive nor preventative. It is to secure the attendance of the accused during the trial... No one likes to be in jail and one would certainly not like to go back to jail after having tasted freedom. The main consideration, therefore, ought to be whether the accused is likely to abuse the discretion granted in his favour."

96. Upon a holistic prism of the conspectus, this Court cannot be oblivious to the mosaic of compelling factors: the earlier bail application stands distinguished on fresh supervening circumstances; liberty has been vouchsafed to the applicant by the Supreme Court in cognate proceedings; the applicant has endured custody exceeding 22 months; investigation qua him is consummated with charge-sheet filing; a



colossal array of witnesses and documents portends an protracted trial; charges remain unframed with zero trial progression; other many co-accused persons bask in freedom; and the vista of expeditious trial conclusion appears chimerical. Aggregately viewed, these facets coalesce to render continued incarceration not merely unjustifiable but tantamount to impermissible pre-trial punishment, antithetical to the constitutional *sine qua non* of personal liberty (***Supreme Court Legal Aid Committee v. Union of India, (1995) 1 SCC 51***). Article 21 mandates that deprivation of liberty must be fair, just and reasonable. Here, with investigation complete and no trial in sight, continued custody would be constitutionally infirm and disproportionate.

97. It is not in dispute that the applicant has remained in judicial custody since **05.04.2024** and has undergone incarceration for a period of about 1 year and 10 months, as an under trial prisoner. The record further indicates that the **charge-sheet was filed on 29.06.2024** and thereafter as many as **five supplementary charge-sheets** have been filed, yet investigation in respect of other accused persons is stated to be continuing.

98. It is further significant to note that the earlier bail application preferred by the applicant came to be rejected by this Court in **M.Cr.C. No. 3392 of 2025 dated 18.07.2025**, whereafter the applicant approached the **Supreme Court by filing SLP (Crl.) No. 433 of 2025** seeking regular bail in connection with the present FIR. The Supreme Court **vide order dated 14.07.2025**, while declining the prayer for bail,



was pleased to grant liberty to the applicant to renew the bail **application in the event no progress is made within a period of four months**, and further clarified that the impugned order passed by the High Court shall not come in the way of consideration of the subsequent bail application.

99. It is evident from the material placed before this Court that the aforesaid period of four months has long expired and no meaningful progress has taken place thereafter. Even as on date the trial in the present case has not commenced, charges have not been framed, cognizance against all accused persons is yet to be completed, and investigation by the Economic Offences Wing in the subject FIR is still continuing. Thus, the very contingency contemplated by the Supreme Court while granting liberty to renew the bail prayer has arisen in the present case. The prolonged incarceration of the applicant for about 22 months, coupled with the absence of any tangible progress in trial, clearly indicates that continued detention of the applicant would serve no useful purpose and would amount to punitive detention prior to conclusion of trial.

100. In the considered opinion of this Court, once the Supreme Court has granted liberty to renew the prayer for bail upon absence of trial progress, and such absence of progress is evident from the record, the applicant becomes entitled to reconsideration of his bail prayer on merits.

101. Furthermore, the fact that more than 51 accused persons,



including the present Applicant, have been arrayed as accused, and the prosecution proposes to examine as many as 1,111 witnesses. The case also involves voluminous documentary evidence running into thousands of pages, which would necessarily require considerable time for appreciation during trial. The investigation is still continuing despite filing of multiple supplementary charge-sheets indicates that the trial is not likely to commence or conclude within a reasonable period of time. This circumstance assumes considerable significance while balancing the competing considerations of individual liberty and the interest of investigation, particularly in the light of Article 21 of the Constitution.

102. Accordingly, **the prolonged custody of the applicant, absence of trial progress, and liberty granted by the Supreme Court constitute substantial and compelling grounds for grant of bail.**

Applicant has languished in custody for an inordinate period. Despite the effluxion of considerable time, cognizance remains elusive, and the trial is yet to commence. Thus, whilst the earlier bail application stood rejected principally on the bedrock of the gravity, magnitude, and pernicious scope of the allegations portraying the Applicant as the principal conspirator in this egregious scam, the instant application falls for consideration against the backdrop of prolonged incarceration and inexcusable protraction in investigation and trial.

103. **A person confined in judicial custody cannot be expected to remain incarcerated indefinitely awaiting completion of investigation, filing of supplementary charge-sheets, framing of**



charges and eventual conclusion of trial. A person in custody cannot be **compelled to sit in prison indefinitely awaiting the uncertain timeline of investigation and trial.** The present case demonstrates precisely such a situation where the **trial is unlikely to conclude within a reasonable time and continued detention would amount to punitive incarceration without adjudication of guilt.**

104. Accordingly, this Court deems it proper to grant bail to the Applicant, notwithstanding the undiminished seriousness of the imputations and his indicted role as principal conspirator. Continued pre-trial detention amid such interminable delay would be manifestly unjust, unconscionable, and subversive of the inviolable constitutional safeguard of personal liberty under Article 21 of the Constitution.

105. In light of the above discussion, and after weighing the submissions, witnesses, ongoing investigation, absence of charge-sheet cognizance against the Applicant, and protracted trial prospects, this Court holds the view that the present second bail application warrants approval and thus deserves to be **allowed**. It must be emphatically stated that the Applicant is being released on bail exclusively due to extended detention and the probable delays in concluding the investigation and trial, not on the substantive merits of the case.

106. The previous order dated **18.07.2025 in M.Cr.C. No. 3392 of 2025**, which dismissed the Applicant's bail plea following thorough evaluation of the allegations' severity, the gravity of offences concerning



public revenue, and the extent of the alleged liquor scam, stands intact. This Court neither weakens nor deviates from the findings therein regarding the prosecution's case on merits.

107. The instant bail grant rests solely on a fresh and substantial shift in circumstances, specifically the Applicant's extended detention of approximately 22 months, lack of substantial trial advancement despite directions from the Supreme Court, submission of several supplementary charge-sheets, and the unlikelihood of prompt trial completion. Such ongoing custody would contravene the fundamental right to personal liberty enshrined in Article 21 of the Constitution of India.

108. Thus, this ruling is to be understood narrowly as addressing these intervening developments and must not be taken as any comment on the merits of the case, which remain for determination at trial, unaffected by remarks herein. Additionally, should any condition be breached or new facts arise necessitating review, the prosecution may apply for bail cancellation as per law.

109. In view of the foregoing discussion, and taking into consideration the long period of incarceration undergone by the Applicant, the magnitude of the prosecution case involving a large number of accused persons and witnesses, the pendency of further investigation, the non-taking of cognizance of the charge-sheets against the Applicant, and the protracted nature of the trial, this Court is of the considered opinion that the present second bail application deserves to be **allowed**.



However, it is made clear that the Applicant is being enlarged on bail solely on the ground of prolonged incarceration and the likelihood of delay in completion of investigation and trial, and not on merits of the case.

110. The applicant is directed to be released forthwith on regular bail in connection with **Crime No. 04/2024 dated 17.01.2024, registered at Economic Offences Wing/Anti-Corruption Bureau, Chhattisgarh, for offences under Sections 420, 467, 468, 471, 120-B IPC and Sections 7, 12 of the Prevention of Corruption Act, 1988**, upon his executing a personal bond of **₹1,00,000/- (Rupees One Lakh)** together with one solvent surety of the like amount to the satisfaction of the learned trial Court, subject to the following conditions:

- (i) he shall surrender his passport, if any, before the Trial Court;
- (b) the applicant must cooperate with the investigation and the trial proceedings;
- (c) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;
- (d) he shall commit no offence whatsoever during the period they are on bail; and
- (e) in case of change of residential address and/or mobile number, the same shall be intimated to the Court concerned by way of an affidavit.
- (f) He will not leave the country without prior



permission of the Court.

(g) any stringent conditions as may be imposed by the trial court.

Any violation of the above conditions will entitle the prosecution to move application for cancellation of bail which shall be considered promptly and on merits.

111. Pursuant to well-settled bail jurisprudence, the views expressed are strictly confined to bail parameters and shall not impinge upon Article 21 rights during trial adjudication. The parties are bound by this delineation.

Sd/-
(Arvind Kumar Verma)
Judge