



2026:CGHC:4240



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 854 of 2026

Sujeet Kumar @ Raja S/o Shri Jeet Sai, Aged About 25 Years, R/o Village Sendha, Police Station Pondi, Tahsil Manendragarh, District Manendragarh-Bharatpur- Chirmiri (C.G.)

... Applicant

versus

State Of Chhattisgarh Through Police Station Jhagrakhand District Manendragarh- Chirmiri- Bharatpur C.G.

... Respondent

For Applicant : Shri Hemant Kumar Agrawal, Advocate.

For : Shri Shubham Bajpai, PL.

Respondent/State

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

23/01/2026

1. This is the second bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No.79/2025 registered at Police Station Jhagrakhand District Manendragarh -Chirmiri-Bharatpur (C.G.) for the offence punishable



under Section 34(2) of Excise Act.

2. The brief facts of the case is that on 12.06.2025 Police Outpost, Khongapani has received information through informer that two persons-driver Suraj Chandel and other person sitting in the seat Sujeet Kumar @ Raja going from Kotma area of another State M.P. have loaded a large quantity of English liquor in a gray coloured Maruti Eco car Vehicle no. M.P. 65-C-4547 and going to Khargawan via B.C.M. Colliery Khongapani for illegal sale. On the said information the concerned police officials committed raid on the spot and on searching the field of accused, English liquor was hidden inside the cartoon in the vehicle and seized total 270 liters of liquor liters from the Co-accused and thereafter he has been arrested by the police.
3. Learned counsel for the applicant submits that this is the second bail application of the applicant and the first bail application of the applicant was rejected by this Court on merits vide order dated 18/08/2025 in MCRC No. 6495 of 2025. He would submit that second bail application of the co-accused namely Suraj Chandel has been allowed by this Court in MCRC No.9587/2025 on 05/01/2026. He would submit that the applicant is in jail since 12/06/2025 and conclusion of trial will take some time, therefore, he prays for grant of bail to the applicant on the ground of parity.
4. On the other hand, learned State counsel opposes the bail application but do not dispute the fact that second bail application of the co-accused namely Suraj Chandel has been allowed by this Court in MCRC No.9587/2025 on 05/01/2026.



5. I have heard learned counsel for the parties and perused the materials available on record.
6. From perusal of the records, it transpires that this is the second bail application of the applicant and the first bail application of the applicant was rejected by this Court on merits vide order dated 18/08/2025 in MCRC No.6495 of 2025. Considering the fact that second bail application of the co-accused namely Suraj Chandel has been allowed by this Court in MCRC No.9587/2025 on 05/01/2026, period of detention of the applicant since 12/06/2025, charge sheet has been filed and also considering the fact that trial is likely to take some time for its conclusion, therefore this Court is of the view that the applicant is entitled to be released on bail in this case.
7. Accordingly, the second bail application is allowed and it is directed that the Applicant- **Sujeet Kumar @ Raja**, involved in Crime No.79/2025 registered at Police Station Jhagrakhand District Manendragarh - Chirmiri-Bharatpur (C.G.) for the offence punishable under Section 34(2) of 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.

8. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance.

Sd/-

(Ramesh Sinha)
CHIEF JUSTICE