



2026:CGHC:9478



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 667 of 2026**

Tukaram Yadav S/o Bhairam Yadav Aged About 22 Years R/o Village
Gorakhpur P.S. And Tehsil Lalpur, District : Mungeli, Chhattisgarh

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

State Of Chhattisgarh Through Excise Circle Lormi, District : Mungeli,
Chhattisgarh

... Respondent(s)

For Applicant(s) : None.

For Respondent(s) : Ms. Palak Dwivedi, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****24/02/2026**

1. None appears nor is any representation made on behalf of the applicant to press this bail application when the case is called out.
2. It transpires from the record that the applicant is in jail since 13.12.2025. Hence, the Court proceeds to consider and hear the bail application of the applicant with the assistance of the State counsel.



3. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the applicant who has been arrested in connection with Crime No. 170/2025 registered at Police Station Excise Circle Lormi, District : Mungeli (C.G.) for the offence punishable under Sections 34(1)(क)(च), 34(2) and 59(क) of Excise Act.
4. Case of the prosecution, in brief, is that on 13.12.2025, Sub-Inspector Amit Shah of Excise Circle Lormi received secret information from an informant that the accused, Tukaram Yadav, a resident of village Gorakhpur, had illegally manufactured handmade mahua liquor and was selling the same near Kolriyal Nala in the village. Acting upon the said information, the excise team conducted a raid at the indicated place. During the raid, 30 bulk litres of illicit handmade mahua liquor and 400 kilograms of mahua lahan were allegedly recovered and seized from the possession of the applicant. On the basis of the said seizure, the aforesaid offence has been registered against the applicant. Hence, the bail application.
5. It transpires from the bail application preferred on behalf of the applicant that the applicant has no criminal antecedent.
6. Learned counsel appearing for the State/non-applicant opposes the bail application and submit that the charge-sheet has been filed in the present case before the competent Court. She further submits that though the applicant has no criminal antecedent, but considering the fact that 30 bulk liters of hand made Mahua liquor



and 400 Kgs of Mahua lahan has been seized from the possession of the applicant, therefore, the applicant is not entitled for grant of bail.

7. I have perused the case diary and the documents appended with the bail application.
8. 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 criminal antecedent, further the applicant is in jail since 13.12.2025 and the charge-sheet has been filed in the present case, moreover, the conclusion of the trial may take some more time, as such, this Court is of the view that the applicant is entitled to be released on bail in this case.
9. Accordingly, the application is **allowed**.
10. Let the Applicant-**Tukaram Yadav**, involved in Crime No. 170/2025 registered at Police Station Excise Circle Lormi, District : Mungeli (C.G.) for the offence punishable under Sections 34(1)(क)(च), 34(2) and 59(क) 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.

11. Office is directed to send a certified copy of this order to the trial Court for necessary information and compliance.
12. After passing of the order, Mr. Dheerendra Pandey, learned counsel for the applicant appears and submits that his presence may be marked.

Sd/-

(Ramesh Sinha)
CHIEF JUSTICE