



2026:CGHC:9061



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No.446 of 2026**

Bijendra Khan S/o Shri Nasir Khan Aged About 21 Years R/o
Bhathupara, Thana And Tahsil- Ambikapur, Distt.- Surguja (C.G.)

... Applicant**versus**

The State Of Chhattisgarh Through Excise Officer, Excise Circle
Ambikapur, Distt.- Surguja (C.G.)

... Non-applicant

For Applicant :Mr. Sumit Shrivastava, Advocate.

For Non-applicant/State :Ms. Nupur Trivedi, PL.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

20.02.2026

1. The Applicant has preferred this 1st Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No.286/2025 registered at Police Station Excise Circle, Ambikapur, District Surguja (C.G.), for



the offence under Sections, 34(1)(A), 34(2) and 59(A) of the Chhattisgarh Excise Act.

2. The prosecution story, in brief, is that on 09.12.2025, the officers of Excise Circle, Ambikapur, District Surguja, received secret information from an informant alleging that the Applicant had kept country-made liquor in his house for the purpose of sale. Acting upon the said information, the excise officials conducted a search and allegedly seized 12 bulk litres of country-made liquor and 180 kilograms of Mahua Lahan from the house of the Applicant. It is further alleged that the Applicant failed to produce any valid documents or licence in respect of the seized articles and on that basis, he was arrested in the present case. Hence, this application.
3. Learned counsel for the Applicant submits that the Applicant is innocent and has been falsely implicated in the present case. It is further submitted that the Applicant is in judicial custody since 09.12.2025 and the trial will take considerable time to conclude; therefore, considering his period of detention, he may be enlarged on regular bail.
4. Per contra, learned State Counsel opposes the bail application and submits that the present Applicant has no previous criminal antecedents and charge sheet has been



filed.

5. Considering the nature of allegations and the material available in the case diary, this Court finds that the investigation has been completed and the charge-sheet has already been filed, therefore further custodial detention of the Applicant is not necessary. It is also noted that the Applicant has no criminal antecedents. The Applicant is in judicial custody since 09.12.2025 and has remained in detention for a considerable period. In view of the period of detention, filing of the charge-sheet and absence of any previous criminal antecedents, without further commenting anything on the merits of the case, this Court is of the opinion that it is a fit case to allow the application for bail. Accordingly, the bail application is **allowed**.
6. Let Applicant-**Bijendra Khan** involved in Crime No.286/2025 registered at Police Station Excise Circle, Ambikapur, District Surguja (C.G.), for the offence under Sections, 34(1)(A), 34(2) and 59(A) of the Chhattisgarh 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.

7. 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