



2026:CGHC:12547



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 874 of 2026

1 - Rekhan Lal Khute S/o Shri Dhaniram Khute Aged About 34 Years R/o Shanti Nagar, Village- Sukhipali, Police Station- Pithora, District- Mahasamund, Chhattisgarh.

2 - Haldhar Kandoi S/o Late Shri Samaru Kandoi Aged About 36 Years R/o Shanti Nagar, Village- Sukhipali, Police Station- Pithora, District- Mahasamund, Chhattisgarh.

... Applicants

versus

State of Chhattisgarh Through Station House Officer, Police Station- Pithora, District- Mahasamund, Chhattisgarh.

... Non-applicant

For Applicants	: Ms. Kiran Sahu, Advocate.
For Non-applicant/State	: Ms. Palak Dwivedi, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

16.03.2026

- The applicants have preferred this First Bail Application under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as they have been arrested in connection with Crime No. 252/2025, registered at Police Station : Pithora, District- Mahasamund (C.G.) for the offence punishable under Section 34(2) of the C.G. Excise Act.



2. The case of the prosecution, in brief, is that the police of Police Station : Pithora, District- Mahasamund (C.G.), received an information from the informant and on the basis of the said information conducted a raid and seized total 40 bulk liters of country made liquor from the joint possession of the present applicants. Thereafter, Police has registered an offence punishable under Section 34(2) of the C.G. Excise Act against the present applicants.
3. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case. She also submits that the charge-sheet has already been filed before the competent Court. She submits that the present applicants have no any previous criminal antecedents. She further submits that the applicants are in jail since 31.12.2025 and the trial is likely to take some time for its conclusion, therefore, she prays grant of bail to the applicants.
4. On the other hand, the learned State counsel opposes the bail application and submits that the charge-sheet has been filed before the competent Court in the present case. She further submits that from the joint possession of the present applicants total 40 bulk liters of country made liquor was seized, therefore, they are 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 applicants and the fact that the present applicants have no any previous criminal antecedents and further considering the fact that the charge-sheet has been filed before the competent Court and they are in jail since 31.12.2025 and conclusion of the trial is likely to take some time, therefore, I am inclined to grant regular bail to the present applicants.
7. Accordingly, the bail application of the applicants is **allowed**. Let the applicants, **Rekhan Lal Khute** and **Haldhar Kandoi**, involved in Crime No. 252/2025, registered at Police Station : Pithora, District- Mahasamund (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 each** in the like sum to the satisfaction of the Court concerned with the following conditions:-
- (i) The applicants shall file an undertaking to the effect that they 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 applicants shall remain present before the trial court on each date fixed, either personally or through their counsel. In case of their absence, without sufficient cause, the trial court may proceed against



them under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicants misuse the liberty of bail during trial and in order to secure their presence, proclamation under Section 84 of BNSS. is issued and the applicants fail to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against them, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicants 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 applicants are 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 them 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