



2026:CGHC:13777



2026:CGHC:13777

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 938 of 2026

Vedprakash Yadav @ Khilesh S/o Kamlesh Yadav Aged About 20 Years R/o Village - Latuva, P.S. - Balodabazar, District - Balodabazar - Bhatapara (C.G.)
... Applicant

versus

State Of Chhattisgarh Through Balodabazar, District - Balodabazar - Bhatapara (C.G.)
...Non-applicant

For Applicant : Mr. Tanuj Patwardhan, Advocate

For Non-Applicant/State : Ms. Monika Thakur, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

23.03.2026

1. This is the first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 1138/2025 registered at Police Station - Balodabazar, District - Balodabazar - Bhatapara (C.G.), for the offences punishable under Section 34(2) of the Excise Act.
2. The prosecution story, in brief, is that on 23/11/2025, the female head constable no. 985 annpurna banjare of P.S. Balodabazar. installed



road blockade near D.K. college main road and upon giving signal to stop to the car bearing no. CG/22/AC/7587, the accused abandoned the said vehicle and left the place. Upon searching the vehicle found total 31.860 bulk liters of liquor inside the said car. On the basis of the said raid the prosecution has registered the offence against the present applicant and thus was arrested and was taken into police custody.

3. Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in this offence. It is further submitted that the learned court below has failed to appreciate that the prosecution has miserably failed to establish the essential ingredients of the alleged offence under Section 34(2) of the Excise Act against the applicant, and has erred in rejecting the bail application by stretching its imagination beyond the permissible limits of law. The applicant has been intentionally implicated, and there is no likelihood that his release on bail would in any manner prejudice the prosecution, as he will neither interfere with the trial nor tamper with the evidence. The applicant has clean antecedents and has never been involved in any criminal case previously. He undertakes to abide by all terms and conditions that may be imposed by this Hon'ble Court. The applicant is a permanent resident of the address mentioned in the cause title, and there is no possibility of his absconding. He is ready to furnish adequate surety and shall abide by all directions and conditions imposed by this Hon'ble Court while granting bail.
4. On the other hand, learned State Counsel opposes the bail application of the present applicant and submits that the charge-sheet has



already been filed in the present case.

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 applicant and the fact that the applicant has no previous antecedents and also considering the fact that the charge-sheet has been filed and he has been in jail since 22.12.2025 and conclusion of the trial is likely to take some time, therefore, I am inclined to grant regular bail to the present applicant.
7. Let the Applicant – **Vedprakash Yadav @ Khilesh**, involved in Crime No. 1138/2025 registered at Police Station - Balodabazar, District - Balodabazar - Bhatapara (C.G.), for the offences punishable under Section 34(2) of the Excise Act, be released on bail on his furnishing **personal bond** with **two local 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,



2026:CGHC:13777

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 forthwith.

Sd/-
(Ramesh Sinha)
Chief Justice

Vaibhav