



2026:CGHC:13778

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 891 of 2026

Tejkumar S/o Damaru Khunte Aged About 26 Years R/o Village Shankarpur,
Police Station Sankara, Tahsil Pithora, District : Mahasamund, Chhattisgarh
... **Applicant**

versus

State Of Chhattisgarh Through- The Station House Officer, Police Of Police
Station Sankara, District : Mahasamund, Chhattisgarh ...**Non-applicant**

For Applicant : Ms. Prachi Singh, Advocate

For Non-Applicant/State : Ms. Palak Dwivedi, 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. 191/2025 registered at Police Station - Sankara, District : Mahasamund (C.G.), for the offences punishable under Section 34(2) of the Excise Act.

2. The prosecution story, in brief, is that the secret information received by the Police of Police Station Sankara and on the basis of such information, the police reached to the place of incident and seized total 120 bulk liter handmade country made liquor from the possession of applicant and subsequently the applicant has been arrested for the commission of alleged offences.
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 applicant has not acted in the manner alleged by the prosecution, and no role can be attributed to him in the commission of the alleged offence. It is pertinent to mention that a false seizure memo has been prepared by the police solely to falsely implicate the applicant in this case, and he is confident that he will be acquitted of the said allegations. The applicant has been in judicial custody since 15.12.2025., it is prayed that he be enlarged on regular 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 and that the applicant has two previous criminal antecedents; therefore, he is not entitled to the grant of regular bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the overall facts and circumstances of the case, the nature and gravity of the allegations levelled against the applicant, and further taking into account that the charge-sheet has already been

filed before the competent Court and and that the applicant has remained in judicial custody since 15.12.2025, and as the conclusion of the trial is likely to take some time, this Court is inclined to grant regular bail to the present applicant.

7. Let the Applicant – **Tejkumar**, involved in Crime No.191/2025 registered at Police Station - Sankara District : Mahasamund (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, 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