



2026:CGHC:12526



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NAFR

## HIGH COURT OF CHHATTISGARH AT BILASPUR

### MCRC No. 1428 of 2026

Tejram Yadav S/o Gopal Yadav Aged About 36 Years R/o Gram Kurrubhatha,  
P.S.- Khallari, Tehsil Bagbahra, District Mahasamund (C.G.)

... Applicant

**versus**

State Of Chhattisgarh Through The Station House Officer, P.S. Khallari,  
Mahasamund (C.G.)

... Respondent

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For Applicant : Shri Mayank Kumar, Advocate.

For : Smt. Smriti Shrivastava, PL.

Respondent/State

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**Hon'ble Mr. Ramesh Sinha, Chief Justice**

### Order on Board

**16/03/2026**

1. 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.03/2026 registered at Police Station Khallari for the offence  
punishable under Section 34(2) of Chhattisgarh Excise Act.



2. Case of the prosecution, in brief, is that on 08.01.2026, during a visit to Amakoni, Khamharia, Tusada, and Chhindauli, information was received from an informant that a person was keeping illegal Mahua liquor for sale in the Chhindauli forest village of Chhindauli. A raid was conducted at the location indicated by the informant, where a person was found in possession of three white plastic jerry cans, each containing 10 liters of raw Mahua liquor produced in a hand-made furnace, totaling 30 liters. When asked for his name, he informed as Tejram Yadav. Upon being served a notice regarding the liquor, he stated that he did not have any documents. Consequently, a case has been registered and the applicant has been arrested for offences under Section 34 (2) of the Chhattisgarh Excise Act.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and 30 bulk litres of Mahua liquor was not seized from the exclusive possession of the applicant. He further submits that under Section 34(2) of the C.G. Excise Act, minimum punishment is one year and maximum punishment is three years. He also submits that applicant is in jail since 08/01/2026 and the conclusion of the trial is likely to take quite long time. Therefore, he prays for grant of regular bail to the applicant.
4. Learned counsel for the State/non-applicant would oppose the bail application and submit that the charge-sheet has been filed in the present case before the competent Court and the applicant has no criminal antecedents. She further submits that 30 bulk litres of Mahua liquor was recovered from the possession of the applicant, therefore, he is not entitled for grant of bail.



5. I have heard learned counsel appearing 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, he is in jail since 08/01/2026, applicant has no criminal antecedents, charge-sheet has been filed and further the conclusion of the trial may take some more time, therefore this Court is of the view that the applicant is entitled to be released on bail in this case.
7. Accordingly, the bail application is allowed and it is directed that the applicant - **Tejram Yadav**, involved in Crime No.03/2026 registered at Police Station Khallari for the offence punishable under Section 34(2) of 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.

8. Office is directed to send a certified copy of this order to the trial Court for necessary information and compliance forthwith.

Sd/-

**(Ramesh Sinha)**  
**Chief Justice**