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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 2020 of 2026**

Jitendra Kumar Kurre @ Kallu S/o Late Mannu Lal Kurre Aged About 30 Years (Wrongly Mentioned As Jitendra Kumar Kurre @ Kal In The Impugned Order), R/o- Jamkot Para, Ward No. 4, Kondagaon, Police Station- Kondagaon, District- Kondagaon (C.G.)

... Applicant(s)**versus**

The State Of Chhattisgarh Through Police Station- Bhanpuri, District- Bastar (C.G.)

... Non-Applicant(s)

For Applicant : Mr. D.K. Gwalre, Advocate.

For Non-Applicant/State : Mr. Shubham Bajpai, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****27/02/2026**

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. 120/2025 registered at Police Station- Bhanpuri, District- Bastar (C.G.), for the offence punishable under Sections 34(2), 36 of the Chhattisgarh Excise Act and 281 of the Bhartiya Nyaya Sanhita.



2. Case of the prosecution, in brief, is that it is alleged that on 09.10.2025, acting upon a tip-off, the police personnel intercepted three different vehicles, namely Maruti Car No. CG-04-PB-7951, Scorpio No. CG-04-QD-7778 and Duster Car No. CG-04-HD-6858, and allegedly seized different quantities of Indian Made Foreign Liquor (Goa Brand Whisky) from the said vehicles. It is further alleged that from the third vehicle, i.e., Duster Car No. CG-04-HD-6858, 15 cartons containing 50 quarter bottles of 180 ml each (total 135 litres) were seized and the applicant was found travelling in the said vehicle along with two other accused persons, namely Hupendra Nag and Pramendra Kumar Kurre. Since the accused persons could not produce any valid authority or licence for possession of the liquor, the police registered the alleged offence and arrested the accused persons for the commission of a non-bailable offence and they were thereafter remanded to judicial custody.
3. Learned Counsel for the applicant submits that the applicant is innocent and has been falsely implicated in a concocted and exaggerated case and has no nexus with the co-accused persons or with the allegedly seized liquor. It is submitted that the basic ingredients of the alleged offence are lacking and the prosecution story itself falsifies the allegations against the applicant. It is further submitted that the allegations are primarily based on the disclosure statements of co-accused persons, who in order to save themselves have tried to shift the blame upon others and that different quantities of liquor were allegedly seized from three independent vehicles



having no connection with each other, yet a common FIR has been registered only to show a larger quantity. It is also submitted that all the co-accused persons have already been granted bail by this Court, therefore the applicant is also entitled to bail on the ground of parity.

4. On the other hand, learned State Counsel, appearing for the State/non-applicant, submit that the charge-sheet has been filed before the competent Court and the trial is currently in progress. He further concur with the submission made on behalf of the applicant to the effect that the principle of parity may be considered, however, he contend that the serious nature of the offences, the ongoing investigation and the possibility of influencing witnesses weigh against granting bail to the applicant at this stage.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, nature and gravity of offence, period of detention of the applicant since 09.10.2025 and further the fact that similarly situated co-accused namely Hupendra Nag and Pramendra Kumar Kurre @ Chhotu have been granted bail by this Court in MCRC No. 8755/2025, vide order dated 27.01.2026 and further one of the co-accused namely Chirag Yadav has also been granted bail by this Court in MCRC No. 10436/2025, vide order dated 27.01.2026 and in the present case, charge-sheet has been filed before the competent Court and the applicant has only one criminal antecedent which has already been explained in the bail application of para 4(A) thus, without



further commenting anything on merits, I am inclined to grant bail to the applicant.

7. Accordingly, the bail application of the applicant is **allowed**.
8. Let the applicant – **Jitendra Kumar Kurre @ Kallu**, involved in Crime No. 120/2025 registered at Police Station- Bhanpuri, District- Bastar (C.G.), for the offence punishable under Sections 34(2), 36 of the Chhattisgarh Excise Act and 281 of the Bhartiya Nyaya Sanhita, 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



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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.

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

**Sd/-
(Ramesh Sinha)
Chief Justice**

Kunal