



2026:CGHC:17239

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2944 of 2026

Suklal Kamar S/o Baru Kamar Aged About 38 Years R/o Village Bansivni
Kamarpara, P S Mahasamund, Tehsil And District Mahasamund
Chhattisgarh **... Applicant**

versus

State Of Chhattisgarh Through P S Mahasamund, District Mahasamund
Chhattisgarh **... Non-applicant**

For Applicant	: Mr. Shubhank Tiwari, Advocate.
For Non-applicant/State	: Ms. Smriti Shrivastava, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

15.04.2026

1. The applicant has preferred this **First Bail Application** under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No.56/2026, registered at Police Station - Mahasamund, District Mahasamund (C.G.) for the offence punishable under Section 34(2) of the C.G. Excise Act.
2. The prosecution story in brief is that after getting the secret

information, the raid was performed in the Open Place (Byara) and Total 35 L. Country made Liquor was seized from the Applicant. It was also alleged that the applicant was not having the document regarding the possession of liquor. Hence the FIR was lodged. Copy of the F.I.R. No. 56/2026 registered at PS Mahasamund, District Mahasamund (C.G).

3. Learned counsel for the applicant submits that the present applicant has been falsely implicated in the case. It is submitted that the applicant, aged about 38 years, has been arrested merely on the basis of suspicion without any substantive evidence connecting him to the alleged offence. The applicant is in judicial custody since 06.02.2026. He is a responsible member of his family and the sole person to look after and maintain his family members; therefore, his continued detention would cause irreparable loss and hardship to them, which cannot be compensated in any manner. It is further submitted that the applicant has maintained a clean record throughout his life and has never been involved in any criminal activity, and thus it is highly improbable that he would commit such an offence. Hence, the applicant deserves to be released on bail.
4. On the other hand, the learned State counsel opposes the bail application of the applicant.
5. I have heard learned counsel for the parties and perused the case-diary.
6. Considering the facts and circumstances of the case, nature and gravity of offence 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 06.02.2026 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 applicant, **Suklal Kamar**, involved in Crime No.56/2026, registered at Police Station - Mahasamund, 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 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 her counsel. In case of her 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 him 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 her 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