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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 3259 of 2026**

Mukund Kashyap S/o Domuram Kashyap Aged About 29 Years R/o
Pujaripara Village- Sakargaon Police Station Badanji, District- Bastar (C.G.)

... Applicant**versus**

State Of Chhattisgarh Through Police Station Badanji District- Bastar (C.G)

... Respondent/State**(Cause title taken from CIS System)**

For Applicant : Mr. Kishore Narayan, Advocate

For Respondent/State : Mr. Shailendra Sharma, PL

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****20.04.2026**

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. 01/2026 registered at Police Station - Badanji, District- Bastar (C.G.), for the offence punishable under Section 34(2) of the C.G. Excise Act.
2. The case of the prosecution, in brief, is that on 02.01.2026, a team of officers from Police Station Badanji, acting upon credible secret information regarding the illegal transportation of intoxicating substances, intercepted a white Maruti Suzuki Swift bearing registration number CG-17-C-2129. The said vehicle was being driven by the present applicant on the route from Jagdalpur to Chitrakot. Upon inspection, the police



team reportedly seized a total quantity of 102.42 bulk liters of foreign liquor, which was allegedly in the possession of the applicant. Consequent to this seizure, a First Information Report was lodged under Section 34(2) of the Chhattisgarh Excise Act and the present applicant was taken into custody by the investigating authorities.

- 3.** Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and 102.42 bulk liters liquor was not seized from the exclusive possession of the applicant. It is further argued by her that under Section 34(2) of the C.G. Excise Act, minimum punishment is one year and maximum punishment is three years. It is also argued by the learned counsel for the applicant that the applicant is in jail since 02.01.2026 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 one criminal antecedent of the year 2024. He further submits that 102.42 bulk liters of 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 and the fact that the applicant has one criminal antecedent of the year 2024 and the charge-sheet has been filed in the present case, further the conclusion of the trial may take some more time, this Court is of the view that the applicant is entitled to be released on bail in this case.



7. Let the applicant -**Mukund Kashyap** involved in Crime No. 01/2026 registered at Police of Police Station – Badanji District- Bastar (C.G.), for the offence punishable under Sections 34(2) of the C.G. 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



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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. However, this Court hopes and trusts that the trial Court shall make an earnest endeavour to conclude the trial expeditiously from the receipt of this order in accordance with law, if there is no legal impediment.
9. 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