



2026:CGHC:24734

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 5311 of 2026**

1 - Kamles Pradhan @ Kamlesh S/o Harilal Pradhan Aged About 25 Years
R/o Village Artunda, Police Station Balouda, District- Mahasamund (C.G.)

2 - Tekchand Sahu S/o Hemant Sahu, Aged About 25 Years R/o Village
Artunda, Police Station Balouda, District- Mahasamund (C.G.)

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

State Of Chhattisgarh Through Station House Officer, Police Station Balouda,
District- Mahasamund (C.G.)

... Non-applicant

For Applicant : Mr. Gurudev I. Sharan, Advocate.

For Non-applicant/State : Mr. Shailendra Sharma, P.L.

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****18.06.2026**

1. This is the **First** bail application filed under Section 483 of Bharatiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail to the applicants who have been arrested in connection with Crime No. 25/2026 registered at Police Station – Balouda, Mahasamund (C.G.), for the offence punishable under Sections 34(2) of the Chhattisgarh Excise Act.



2. As per the brief facts of the prosecution case, the police received secret information from an informant that on 09.04.2026 unknown persons were illegally possessing country-made liquor for the purpose of sale. Acting upon the said information, the police conducted a raid and allegedly seized 40 litres of country-made Mahua liquor from an open place. It is alleged that the accused persons failed to produce any valid document or licence in respect of the seized liquor. Consequently, a case was registered against the accused persons for offences punishable under Sections 34(2) of the Chhattisgarh Excise Act. Thereafter, the applicants were arrested for the commission of the alleged offence.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. He further submits that the applicant has no previous criminal antecedents. He also submits that the charge-sheet has been filed in the present case and the applicant is in jail since 09.04.2026. It is further argued by him that under Section 34(2) of the C.G. Excise Act, minimum punishment is one year and maximum punishment is three years 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 opposes the bail application. He further submits that the charge-sheet has been filed and also endorse the fact that the applicants have no previous criminal antecedents.
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 applicants and the fact that



the applicants have no previous criminal antecedents, the charge-sheet has been filed and he is in jail since 09.04.2026. Further, the conclusion of the trial may take some more time, this Court is of the view that the applicants are entitled to be released on bail in this case.

7. Let applicants, **Kamles Pradhan @ Kamlesh and Tekchand Sahu**, involved in Crime No. 25/2026 registered at Police Station – Balouda, Mahasamund (C.G.), for the offence punishable under Sections 34(2) of the Chhattisgarh Excise Act, be released on bail on his furnishing a personal bond with two sureties each in the like amount 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