



2026:CGHC:33243



CGHC010228332026



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 5868 of 2026**

Parasram Khandey Son Of Tirithram Khandey, Aged About 27 Years
Resident Of Village Lamkena, P.S. Kota, District- Bilaspur Chhattisgarh

... Applicant**versus**

State of Chhattisgarh Through- Station House Officer, Police Station Kota,
District- Bilaspur (C.G.)

... Non-applicant

For Applicant : Mr. Chandra Kumar, Advocate.

For Non-applicant/State : Ms. Nupur Trivedi, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****31.07.2026**

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. 392/2026, registered at Police Station - Kota, District- Bilaspur, (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 the police of Police Station- Kota, District- Bilaspur, (C.G.), received an information from the informant and on the basis of the said information



conducted a raid and seized total 60 bulk liters of country made kachchi Mahua liquor from the possession of the present applicant. Thereafter, Police has registered an offence punishable under Section 34(2) of the C.G. Excise Act against the present applicant.

3. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case. He further submits that under Section 34(2) of the Excise Act, minimum punishment is one year and maximum punishment is three years. He submits that the present applicant has no criminal antecedents under the Excise Act he has two criminal antecedents under the IPC out of which one case is disposed of and only one case is pending. He also submits that the charge-sheet has been filed before the competent Court, and the applicant is in jail since 22.05.2026 and the trial is likely to take some time for its conclusion, therefore, he prays grant of bail to the applicant.
4. On the other hand, the learned State counsel opposes the bail application and submits that the charge-sheet has already been filed before the competent Court. She also submits that from the possession of the present applicant total 60 bulk liters of country made kachchi Mahua liquor was seized. She further submits that the applicant has two criminal antecedents under the IPC out of which one case is disposed of and one case is pending. Therefore, he is not entitled for grant of bail.
5. I have heard learned counsel 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 present applicant has no criminal antecedents under the Excise Act, he has two criminal antecedents under the IPC out of which one case is disposed of and only one case is pending, the charge-sheet has been filed before the competent Court and he is in jail since 22.05.2026 and conclusion of the trial is likely to take some time, therefore, I am inclined to grant regular bail to the present applicant.
7. Accordingly, the bail application of the applicant is **allowed**. Let the applicant, **Parasram Khandey**, involved in Crime No. 392/2026, registered at Police Station - Kota, District- Bilaspur, (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 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 provide a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-

**(Ramesh Sinha)
Chief Justice**

Rahul Dewangan