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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 6006 of 2026**

1 - Manoj Kumar Chandrakar S/o Salik Ram Chandrakar Aged About 46 Years R/o Village Nanapuri, Ward No. 2 Police Station Kunda District- Kabirdham (C.G.)

2 - Pradeep Kumar Chandrakar S/o Bulaki Ram Aged About 41 Years R/o Village Kishungarh, Police Station Pandariya District- Kabirdham (C.G.)

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

State Of Chhattisgarh Through Station House Officer, Excise Circle Pandariya District- Kabirdham (C.G.)

... Non-Applicant(s)

For Applicants	: Mr. Aadarsh Rajput, Advocate
For Non-Applicant/State	: Ms. Ritika Verma, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****07/07/2026**

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 applicants who have been arrested in connection with Crime No. 30/2026 registered at Police Station- Excise Circle Pandariya, District- Kabirdham (C.G.), for the offence punishable under



Sections 34(1)(a), 59(a), 34(2) and 36 of Chhattisgarh Excise Act.

- 2.** Case of the prosecution, in brief, is that on 2nd May, 2026, the Excise Circle, Pandaria, received information from a reliable informant that illegal liquor was being transported on the Pipermati-Kanjeta route. Acting upon the said information, the Excise officials reached Bharatpur village on the Pipermati-Kanjeta route, intercepted the suspected vehicle bearing registration No. CG 04 KR 2464 and conducted its search. During the search, a total of 72 bulk litres of plain country liquor (marked "Sale for MP"), consisting of bottles of 180 ml each packed in 08 cartons, was recovered from the rear seat and boot space of the vehicle. The said liquor was seized and taken into custody. The applicants were found to be in possession of and transporting the said liquor without any valid pass or permit, thereby committing offences punishable under Sections 34(1)(a), 34(2), 59(a) and 36 of the Chhattisgarh Excise Act. Accordingly, they were arrested and Crime No. 30/2026 was registered against them.
- 3.** Learned counsel for the applicants submit that the applicants are innocent and they have been falsely implicated in this case and the present applicants are not in possession of any illicit liquor nor they had kept the same. He further submits that under Section 34(2) of the C.G. Excise Act, minimum punishment is one year and maximum punishment is three years and the applicant No.1 had one previous criminal antecedents, which has already been disposed of by acquitting and applicant No.2 has no previous criminal antecedents and in the present case, charge-sheet has



been filed before the competent Court and the applicants are in jail since 02.05.2026 and the conclusion of the trial is likely to take quite long time. Therefore, he prays for grant of regular bail to the applicants.

4. On the other hand, learned Panel Lawyer, appearing for the State/non-applicant opposes the bail application and submits that in the present case, charge-sheet has been filed before the competent Court and so far as the criminal antecedents of the applicants are concerned, the applicant No.1 had one previous criminal antecedents, which has already been explained in the bail application and applicant No.2 has no previous criminal antecedents further the quantity of liquor seized from the possession of the applicants i.e. 72 bulk liters of plain country liquor. Accordingly, the present applicants are 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 applicants and the fact that in the present case, charge-sheet has been filed before the competent Court and so far as the criminal antecedents of the applicants are concerned, the applicant No.1 had one previous criminal antecedents, which has already been disposed of by acquittal and applicant No.2 has no previous criminal antecedents further the quantity of liquor seized from the possession of the applicants i.e. 72 bulk liters of plain country liquor and further they



are in jail since 02.05.2026 and conclusion of the trial is likely to take some time, therefore, I am inclined to grant regular bail to the present applicants.

7. Accordingly, the bail application is **allowed**.
8. Let the applicants – **Manoj Kumar Chandrakar** and **Pradeep Kumar Chandrakar**, involved in Crime No. 30/2026 registered at Police Station- Excise Circle Pandariya, District- Kabirdham (C.G.), for the offence punishable under Sections 34(1)(a), 59(a), 34(2) and 36 of Chhattisgarh Excise Act, be released on bail on their furnishing a **personal bond** with **two sureties each**, in the like sum to the satisfaction of the Court concerned with the following conditions:-

(i) The applicants shall file an undertaking to the effect that they 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 applicants shall remain present before the trial court on each date fixed, either personally or through their counsel. In case of their absence, without sufficient cause, the trial court may proceed against them under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicants misuses the liberty of bail during trial and in order to secure their presence, proclamation under Section 84 of BNSS. is issued



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and the applicants fail to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against them, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicants 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 applicants are deliberated 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 them 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**