



2026:CGHC:29323



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 6191 of 2026**

Pankaj Kumar Hajam S/o Chandramohan Aged About 24 Years R/o Kenvat Basti, Parsabhata, Balko, District – Korba, Chhattisgarh

... Applicant**versus**

State of Chhattisgarh Through Police Station - Balco, District Korba Chhattisgarh

... Non-Applicant

For Applicant	: Mr. Aakash Aahuja, Advocate.
For Non-Applicant/State	: Ms. Nupur Trivedi, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****13.07.2026**

1. This is the first bail application filed under Section 483 of Bharatiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 278/2026 registered at Police Station – Balco, District - Korba (C.G.), for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. As per the prosecution case, on 14.05.2026, a total of 10 litres of hand-made mahua liquor was seized from the possession of the applicant/accused by the police of Police Station Balconagar, District Korba, and an offence under Section 34(2) of the Chhattisgarh Excise Act, 1915 was registered against him. The applicant/accused was arrested on 14.05.2026, and information regarding his arrest was duly



conveyed to his family members. Along with the applicant/accused, a substantial quantity of 50 litres of raw mahua liquor was also seized from the possession of the co-accused, Ujiniya Devi. Thus, a considerable quantity of liquor was recovered from both accused persons at the same time and place, indicating that the liquor was jointly possessed by them for the purpose of illegal commercial trade.

- 3.** Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. He also submits that the applicant has no previous criminal antecedents. It is further submitted that the co-accused has been granted bail by this Court vide order dated 10.07.2026 passed in MCRC No. 6148/2026, further the charge-sheet has already been filed in the present case and that the applicant has been in judicial custody since 15.05.2026. Learned Counsel argues that under Section 34(2) of the C.G. Excise Act, the prescribed punishment ranges from a minimum of one year to a maximum of three years, and that the conclusion of the trial is likely to take a considerable amount of time. In light of the aforesaid circumstances, it is prayed that this Court may be pleased to grant regular bail to the applicant on the ground of parity.
- 4.** On the other hand, learned counsel for the State opposes the bail application and submits that the charge-sheet has already been filed in the present case. However, he could not dispute the fact that other co-accused person, who are similarly situated, has already been granted bail by this Court. He further submits that the applicant has no 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, the nature and gravity of the allegations levelled against the applicant, and the co-accused has been granted bail by this Court vide order dated 10.07.2026 passed in MCRC No. 6148/2026, further the charge-sheet has already been filed in the present case and that the applicant has been in judicial custody since 15.05.2026, and the applicant has no previous criminal antecedents, this Court is of the view that the applicant is entitled to be released on bail in the present case.
7. Accordingly, the bail application is **allowed**. Let the applicant - **Pankaj Kumar Hajam**, involved in Crime No. 278/2026 registered at Police Station – Balco, District - Korba (C.G.), for the offence punishable under Section 34(2) of the Chhattisgarh 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 BNS.
 - (iii) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence,



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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 BNS.

(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 for necessary information and compliance forthwith.

**Sd/-
(Ramesh Sinha)
Chief Justice**