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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 677 of 2026**

- Rahul Kurre S/o Late Prahlad Kurre Aged About 23 Years R/o Satnami Para, Village- Paikbhatha, Post- Ghatula, Police Station- Sihawa, District Dhamtari C.G.

... Applicant**versus**

- State Of Chhattisgarh Through Station House Officer, Excise Circle- Nagri, District Dhamtari C.G.

... Respondent**(Cause title is taken from Case Information System)**

For Applicant	: Mr. Kanhiya Ram Yadav, Advocate
For Respondent/State	: Mr. Sourabh Sahu, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****19.01.2026**

1. The applicant has preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 90/2025, registered at Police Station – Excise Circle, Nagri, , District – Dhamtari (C.G.) for the offence punishable under Section 34(2) and 59(a) of C.G. Excise Act.
2. The case of the prosecution, is that on 20.11.2025, the Sub-Inspector, Excise Circle - Nagari received a secret information during



the patrolling. On the basis of secret information, Excise Circle conducted a raid in the residential house of the present applicant, whereby the present applicant was found to be in possession of 15 bulk liters illicit handmade country Mahua liquor. The present applicant was arrested, hence this bail application.

3. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case and there are four criminal antecedents registered against the present applicant, and same are mentioned in the bail application at paragraph No.4(a). It is further submitted that the charge-sheet has been filed 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. The applicant is in jail since 20.11.2025 and trial is likely to take some time for its conclusion, therefore, he prays for grant of bail.
4. On the other hand, the learned State counsel opposes the bail application and submits that there are four criminal antecedents registered against the present applicant, out of which one case is under the Excise Act, which is disposed of and the charge-sheet has been filed in this case. It is further submitted that a total of 15 liters of Mahua liquor has been seized from the possession of the present applicant, therefore, he is not entitled for grant of bail.
5. I have heard learned counsel for the parties and perused all of the documents available on record.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of allegation levelled against the applicant and charge-sheet has been filed against the applicant and he is in jail



since 20.11.2025 and conclusion of the trial is likely to take some time, I am inclined to allow this application.

7. Let applicant, **Rahul Kurre**, involved in Crime No.90/2025, registered at Police Station – Excise Circle, Nagri, , District – Dhamtari (C.G.) for the offence punishable under Section 34(2) and 59(a) of 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 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



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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

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