



2026:CGHC:4200

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 10197 of 2025

Sunita Bai Khunte W/o Nujram Khunte Aged About 45 Years R/o -
Village - Devarmaal, Tahsil And Police Station - Sakti, District - Sakti
(C.G.) (As Per Correct Details)

... Applicant

versus

State Of Chhattisgarh Through The Station House Officer Of Police
Station - Excise Circle, Sakti, District - Sakti (C.G.)

... Respondent

For Applicant	: None
For State/Respondent	: Ms. Smiriti Shrivastava, P.L.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

23.01.2026

- None appears nor is any representation made on behalf of the Applicant to press this bail application on repeated calls but, considering the fact that the applicant is in jail since 03.12.2025 this Court proceeds to hear the matter finally with the assistance of learned State Counsel.
- 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 Case Crime No.211/2025-26, registered at Police Station – Excise Circle, Sakti, Dist.-Sakti (C.G.) for the offence punishable under Section 34(2) of C.G. Excise Act.

3. The case of the prosecution, is the prosecution case, on 03.12.2025, acting upon information received from the informant, the police authorities conducted a raid at the house of the applicant and seized a total of 24 bulk liters of country-made Mahua liquor. On the basis of the aforesaid allegations, the present applicant has been implicated for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act in connection with Crime No. 211/2025–26 registered at Police Station Excise Circle, Sakti, District Sakti (C.G.).
4. Learned State counsel opposes the bail application and submits that there is one criminal antecedents registered against the present applicant, and the charge-sheet has been filed in this case. It is further submitted that a total of 24 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 State Counsel 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 the fact that there is one criminal antecedents registered against the present applicant and she happens to be a lady, charge-sheet has been filed against the applicant and he is in jail since 03.12.2025 and conclusion of the trial is likely to take some time, I am inclined to allow this application.

7. Let applicant, **Sunita Bai Khunte**, involved in Case Crime No.211/2025-26, registered at Police Station – Excise Circle, Sakti, Dist.-Sakti (C.G.) for the offence punishable under Section 34(2) 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 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 Principal District and Sessions Judge concerned for necessary information to be communicated to the applicant, where he is confined and compliance forthwith.

Sd/-
(Ramesh Sinha)
Chief Justice