



CGHC010293292026



2026:CGHC:40546

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 7068 of 2026

- Duryodhan Mukherji S/o Sadanand Mukherji Aged About 32 Years R/o Village- Banipali, P.S. Basna, Tahsil- Basna, District- Mahasamund, Chhattisgarh.

... Applicant

versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Basna, District- Mahasamund (C.G.)

... Non-Applicant

For Applicant	: Mr. Sudhir Kumar Sahu, Advocate
For State	: Ms. Smriti Shrivastava, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

17.09.2026

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 applicant who has been arrested in connection with Crime No. 367/2026 registered at Police Station Basna, District Mahasamund (C.G.), for the offence punishable under Section 34(2) of C.G. Excise Act.
2. The case of the prosecution, in brief, is that the police of Police Station Basna, Mahasamund received an information from the informant and on the basis of the said information conducted a raid and seized 30 bulk liters of country made mahua liquor from the possession of the present applicant. Thereafter, Police has registered an aforesaid offence against the present

applicant.

3. Learned counsel for the applicant submits that the present applicant has been falsely implicated in this case and the said 30 liter of country made mahua liquor was not seized from the exclusive possession of the applicant. He further submits that the applicant is in jail since 10.07.2026, charge-sheet has been filed and trial is likely to take quite long time for its conclusion. With regard to five criminal antecedents of applicant, it is argued that, in two cases he has been acquitted, one case was disposed of, and two cases are pending. He would pray for grant of bail to the present applicant.
4. On the other hand, learned counsel for the State would oppose the bail application and submit that the charge-sheet has been filed in the present case before the competent Court. She also submits that the applicant has four criminal antecedent under the Excise Act, which shows that the applicant is a habitual offender, therefore, he is not entitled for grant of regular bail in the present case.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having considered the facts and circumstances of the case, nature and gravity of allegation levelled against the present applicant and the fact that the charge-sheet has already been filed before the competent Court and he is in jail since 10.07.2026. Further the applicant has 5 criminal antecedents, out of the said cases, he has already been acquitted in two case registered for the offence punishable under Section 34(1)(a) of Excise Act, one case was disposed of and the remaining two cases are pending. Further looking to the quantity of the liquor i.e. 30 liters, I am inclined to allow this bail

application.

7. Accordingly, the regular bail application is allowed and it is directed that in the event of the applicant executing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, they shall be released on bail on the following conditions:-

(i) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court;

(ii) he shall not act in any manner which will be prejudicial to fair and expeditious trial, &

(iii) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

8. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-
(Rakesh Mohan Pandey)
JUDGE