



CGHC010312772026



2026:CGHC:39649

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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 7594 of 2026

* - Pradeep Prajapati S/o Dayaram Prajapati, Aged About 22 Years R/o Village - Dhanagar, Raigarh Tahsil And District Raigarh (C.G.)
... Applicant

Versus

* - State Of Chhattisgarh Through P. S. - Kotra Road Raigarh, District Raigarh, (C.G.)
... Non-Applicant

For Applicant	:	Mr. Ashish Gupta, Advocate
For Non-Applicant	:	Mr. Hrishikesh Sharma, Panel Lawyer

Hon’ble Shri Justice Rakesh Mohan Pandey
Order on Board

10/09/2026

1. Heard.
2. Admit.
3. With the consent of learned counsel for the parties, the matter is heard finally.
4. This is first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (henceforth ‘the BNSS’) for grant of regular bail to the applicant, who is in custody in connection with Crime No.231/2026 registered at Police Station Kotra Road Raigarh, District Raigarh (CG) for the offence punishable under Sections 34 (2) & 59 (A) of the Excise Act, 1915.

5. Case of the prosecution, in brief, is that the applicant was found in possession of 24 bulk liter of illicit country made liquor (Mahua) without having valid license and accordingly, the offence has been registered against the applicant and he was arrested on 10.07.2026.
6. Learned counsel for the applicant contends that the applicant is innocent and he has been falsely implicated. He further submits that the charge sheet has been filed. He also submits that liquor has not been seized from exclusive possession of applicant. He would contend that though there are 02 criminal antecedents of similar nature against the applicant, but in both the cases he has already been acquitted from the trial Court. He would submit that the applicant is languishing in jail since 10.07.2026, therefore, he may be released on regular bail.
7. On the other hand, the learned State counsel opposed the bail application of present applicant. He submits that there are 02 criminal antecedents of similar nature against the present applicant in which he has already been acquitted from trial Court. He contends that the charge-sheet has been filed and at present, there is no criminal antecedent against the present applicant.
8. I have heard learned counsel for the parties and perused the case diary.
9. Taking into consideration the facts and circumstances of the case, quantity of liquor seized from the applicant, chargesheet has been filed and the applicant is in jail from 10.07.2026, I am inclined to grant regular bail to the present applicant.
10. Accordingly, the instant bail application of the applicant is **allowed**.
11. Let applicant- **Pradeep Prajapati** involved in Crime No.231/2026 registered at Police Station Kotra Road Raigarh, District Raigarh (CG)

for the offence punishable under Sections 34 (2) & 59 (A) of the C.G. Excise Act, be released on regular bail on his furnishing a personal bond with two sureties in the like sum to the satisfaction of the trial 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 their 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 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.

12. 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