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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 7862 of 2026

- Ajay Khunte S/o Shri Firangi Khunte Aged About 27 Years R/o Village-Naya College Road, Near Chuhiya Talab, Jagdalla, Champa, Ps And Tehsil- Champa, District- Janjgir-Champa (C.G.)

--- **Applicant**

versus

- State Of Chhattisgarh Through Distritct Magistrate Janjgir, District- Janjgir-Champa (C.G.) (Also Mentioned In The Impugned Order As State Of Chhattisgarh Through Police Station- Champa, District- Janjgir-Champa (C.G.)

--- **Non-applicant**

WITH

MCRC No. 9197 of 2026

- Anil Khunte S/o Shri Firangi Khunte Aged About 35 Years R/o Village New College Road Near Chhuiya Talab Jagdalla Champa P.S. And Tehsil Champa District Janjgir Champa Chhattisgarh.

---**Applicant**

Versus

- State Of Chhattisgarh Through Station House Officer Police Station Champa District Janjgir Champa Chhattisgarh.

--- **Non-applicant**

For Applicants	:	Mr. Vivek Kumar Shrivastava, Adv.
For Non-Applicant	:	Mr. Akash Agrawal, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

05.10.2026

1. These are the first bail applications filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicants who have been arrested in connection with Crime No. 412/2026 registered at Police Station Champa, District : Janjgir-Champa (C.G.), for the offence punishable under Sections 121(1), 132, 221 and 3(5) of BNS, 2023.

2. The case of the prosecution, in brief, is that on 30.07.2026, Inspector Ashok Vaishnav along with police personnel from Police Station Champa proceeded from Chhuiya Talab to conduct a raid against the illicit sale of liquor at the house of applicant – Anil Khunte. In the course of the raid, 40 bulk liters of illicit hand-distilled Mahua liquor were allegedly seized from his possession. While the proceedings were underway, accused Anil Khunte, accused Ajay Khunte, applicant Neha Khunte (wife of Ajay Khunte), and another woman, in furtherance of their common intention, obstructed the police team in discharging their official duties, manhandled and misbehaved with them, and caused injuries to police personnel.

3. Learned Counsel for the applicant submits that while the police was forcibly taking away the applicant – Anil Khunte, his brother Ajay Khunte (co-accused) was making a video of the same, this infuriated the police and they started beating him and also took

him to police station and lodged a false case against the applicants. He further submits that the one criminal antecedent under Section 34(2) of the Excise Act is pending against each of the applicants, the same has been satisfactorily explained in the present bail applications. He also submits that co-accused – Neha Khunte has been granted anticipatory bail in MCRCA No. 1424 of 2026 whereas the applicants have been in jail since 31.07.2026 and conclusion of the trial is likely to take quite long time, therefore he prays for grant of regular bail to the applicants.

4. On the other hand, learned counsel for the State opposes the bail application and submits that the charge-sheet has been filed in the present case before the competent Court and the applicants manhandled the police team and caused injuries to the personnel, therefore they are 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. It is alleged that present applicants, while acting in furtherance of common intention, obstructed the police personnel in discharging their duties and manhandled them. However, the injuries sustained by the police personnel were simple in nature. Also, taking note of the fact that co-accused – Neha Khunte has been granted anticipatory bail by the co-ordinate Bench in MCRCA No.

1424 of 2026 whereas the applicants are languishing in jail since 31.07.2026. Although one criminal antecedent under Section 34(2) of the Excise Act is pending against each of the applicants, the same has been explained in the present bail applications.

7. Taking into consideration the aforesaid discussion coupled with the fact that the charge-sheet has been filed before the competent Court and applicants are in jail since 31.07.2026, conclusion of the trial may take some more time, this Court is of the view that the applicants are entitled to be released on bail in this case.

8. It is directed that in the event of the applicants executing a personal bond for a sum of **Rs. 50,000/-** to the satisfaction of the concerned trial Court, they shall be released on bail on the following conditions:-

(a) they shall make themselves available for interrogation by the police officer as and when required;

(b)they 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; and

(c) they shall not act in any manner which will be prejudicial to a fair and expeditious trial.

The observation made hereinabove is for the purpose of deciding this bail application only, the learned trial Court shall decide the case on its own merits.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

Ajinkya