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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9563 of 2026

1. Anand Khadiya S/o Kartikram Khadiya, Aged About 40 Years R/o Village Charbhantha, Police Station Sankra, District Mahasamund (C.G.)

2. Raghuveer Khadiya, S/o Ramlal Khadiya, Aged About 27 Years R/o Village Charbhantha, Police Station Sankra, District Mahasamund (C.G.)

... Applicant

versus

1. State Of Chhattisgarh Through Excise Circle Sankra, District Mahasamund (C.G.)

... Non-applicant

For Applicants	:	Mr. Virendra Kashyap, Advocate
For Non-applicant	:	Ms. Laxmeen Kashyap, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

29.09.2026

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 applicants who have been arrested in connection with Crime No. 107/2026 registered at Excise Circle Sankra, District Mahasamund (C.G.), for the offence punishable under Section 34(2) of the C.G. Excise Act against the present applicants.

2. Case of the prosecution, in brief, is that Excise Circle Sankra has received a secret information from the informant and on the basis of said information, raid was conducted and seized 30 liters of mahua liquor and 200 kg Mahua lahan from the possession of the present applicants. Thereafter, the aforesaid case was registered against the present applicants.

3. Learned Counsel for the applicant submits that the present applicants have been falsely implicated in this case. It is further argued by him that the applicant – Raghuveer Khadiya has one criminal antecedent and under Section 34(2) of the C.G. Excise Act, minimum punishment is one year and maximum punishment is three years and the present applicants have been in jail since 16.09.2026, 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 submit that the charge-sheet has not been filed in the present case before the competent Court. She also submits that the applicants may abscond, 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. Taking into consideration the facts and circumstances of the case, nature and gravity of allegation levelled against the present applicants and the fact that the applicant – Raghuveer Khadiya

has one criminal antecedent u/s 115, 296 and 351 of BNS pertaining to year 2025 whereas applicant – Anand Khadiya has no criminal antecedent and applicants are in jail since 16.09.2026, 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.

7. 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