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2026:CGHC:27269

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HIGH COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C No.2882 of 2026

Hariraam, S/o Shri Bhojlal Thakrail, Aged About 23 Years Occupation-
Labour, R/o Lamtakhur Soda, Police Station Lamta, Tehsil And District-
Balaghat, M.P. **... Applicant**

versus

The State Of Chhattisgarh Through Police Station- Sankara, Distt.-
Mahasamund, C.G. **... Non-applicant**

M.Cr.C No.5231 of 2026

Vijay, S/o Kishan Lal Dahare, Aged About 27 Years, R/o Sonkhar,
Changatola Police Station, Balaghat District (M.P.) **...Applicant**

Versus

State Of Chhattisgarh Through- Station House Officer, Police Station-
Sankra District- Mahasamund (C.G.) **---Non-applicant**

For respective Applicants :Mr. Deepak Mishra and Mr. Aditya
Bhardwaj, Advocates.

For Non-applicant/State :Ms. Monika Thakur, PL.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

02.07.2026

1. The Applicants have preferred this 1st Bail Applications under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as they have been arrested in connection with Crime No.192/2025 registered at Police Station Sankra, District Mahasamund (C.G.), for the offence under Section 20(B) of the NDPS Act.
2. As per the prosecution story, on 25.12.2025, Police Station Sankra, District Mahasamund, received secret information that four persons were transporting illicit Ganja from Bhagta Devi, Odisha, towards Sankra via NH-53 Road on two motorcycles. Acting upon the said information, the police reached the spot, laid a blockade, and intercepted the motorcycles. The occupants allegedly attempted to flee but were apprehended. Upon search, 15 kilograms of Ganja was recovered from one accused and 5 kilograms from another accused, making a total recovery of 20 kilograms of Ganja valued at approximately Rs.2,00,000/-. Thereafter, the seized contraband was duly confiscated in accordance with law and Crime was registered against the present Applicants and the co-accused as mentioned above.

Hence, these applications.

3. Learned Counsel for the Applicants submit that the Applicants are innocent and have been falsely implicated in the present case. It is submitted that a total quantity of 20 kilograms of Ganja was allegedly recovered from the joint possession of the accused persons. They lastly submit that the Applicants are in judicial custody since 25.12.2025 and the trial is likely to take considerable time for its conclusion, therefore, considering the period of detention, they may be enlarged on regular bail.
4. Per contra, learned State Counsel opposes the bail applications. She would submit that so far as Applicant Hariram is concerned, he has no previous criminal antecedents in the State of Madhya Pradesh.
5. Considering the submissions advanced by learned Counsel for the parties, the nature of allegations, the fact that the alleged recovery was not made exclusively from the present Applicants but is alleged to have been effected from the joint possession of the accused persons, the quantity of contraband allegedly recovered, the period of custody of the Applicants since 25.12.2025, the fact that the trial is likely to take considerable time for its conclusion, and without expressing any opinion on the merits of the case, this Court is of the view that these are fit cases for grant of regular bail. Accordingly, both the bail applications are **allowed**.

6. Let Applicants- **Hariraam** and **Vijay** involved in Crime No.192/2025 registered at Police Station Sankra, District Mahasamund (C.G.), for the offence under Section 20(B) of the NDPS Act be released on bail on their furnishing **a personal bond with two local sureties each** in the like sum to the satisfaction of the Court concerned with the following conditions:-

(i) The applicant/s shall file an undertaking to the effect that he/they 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/s shall remain present before the trial court on each date fixed, either personally or through his/their counsel. In case of his/their absence, without sufficient cause, the trial court may proceed against him/them under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicant/s misuse/s the liberty of bail during trial and in order to secure his/their presence, proclamation under Section 84 of BNSS. is issued and the applicant/s fail/s to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him/them, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicant/s 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/s 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/them in accordance with law.

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

Sd/-
(Ramesh Sinha)
Chief Justice

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