



2026:CGHC:25382

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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 5425 of 2026

Dharmendra @ Sonu Sonkar S/o Bholaram Sonkar Aged About 32 Years
R/o Rawabhantha Near Kali Mandir Bhatagaon Raipur Police Station
Tikarapara Tahsil And District- Raipur (C.G.)

... **Applicant(s)**

versus

State Of Chhattisgarh Through- Station House Officer Police Station
Singhoda Mahasamund (C.G.)

---- **Non-Applicant(s)**

For Applicants : Mr. Syed Afaq Hussain Rizvi, Advocate.
For Non-Applicant/State : Ms. Anusha Naik, Dy. Govt. Advocate.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

22/06/2026

1. This is the Second 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. 29/2025 registered at Police Station- Singhoda, District- Mahasamund (C.G.), for the offence punishable under Sections 22(B) of the NDPS Act.
2. The earlier first bail application of the applicant being MCRC No. 8617/2025 was rejected by this Court vide order dated 30.10.2025, on merits. Hence, this second bail application.

3. As per the prosecution story, in brief, on 30.03.2025, while the police party was on patrolling duty, a secret information was received from an informer that a black-coloured TVS Jupiter Scooty bearing registration No. CG-04-LL-3851, carrying two persons transporting illegal contraband ganja from Odisha towards Chhattisgarh, would pass through the area. Acting upon the said information, the police intercepted the aforesaid vehicle and conducted a search. During the search, 20 kilograms of contraband ganja was recovered from a white bag kept in the middle portion of the scooty. The contraband was seized from the possession of the occupants of the vehicle, namely, the present applicant, Dharmendra @ Sonu Sonkar, and co-accused Pramod Bhoi, who were found transporting the said contraband. Consequently, the offence was registered against them and they were arrested and produced before the competent Court, from where they were remanded to judicial custody.
4. Learned counsel for the applicant submits that the earlier first bail application of the applicant, being MCRC No. 8617/2025, was rejected by this Court vide order dated 30.10.2025 on merits. Hence, this is the second bail application and the new grounds urged in the present successive bail application are that the applicant was arrested on 30.03.2025, cognizance was taken on 28.05.2025 and charges were framed on 12.12.2025. Although the case has been fixed for recording of prosecution evidence, till date no prosecution witness has been examined by the trial Court and, therefore, there is no likelihood of early conclusion of the trial.

Learned counsel further submits that the applicant is a young person suffering from mental disorder and his mother is also suffering from ailments and therefore, no useful purpose would be served by keeping him in further incarceration. It is also contended that the alleged contraband ganja was recovered from the scooty and not from the conscious and exclusive possession of the present applicant, who was merely travelling on the vehicle. It is further submitted that the material collected by the prosecution is not sufficient, prima facie, to establish the guilt of the applicant. The applicant is in custody since 30.03.2025. Therefore, it is prayed that the applicant be enlarged on bail.

5. On the other hand, learned counsel for the State opposes the prayer for grant of bail and submits that the earlier first bail application of the applicant was rejected by this Court on merits and there is no substantial change in the circumstances warranting reconsideration of the bail application. It is further submitted that the applicant was apprehended along with the co-accused while transporting 20 kilograms of contraband ganja on a scooty and the contraband was recovered from the vehicle in which the applicant was travelling. Thus, the applicant was found in conscious possession of the seized contraband. She further submits that the quantity of ganja seized is commercial in nature and considering the nature and gravity of the offence, the quantity of contraband seized, and the bar contained under Section 37 of the NDPS Act, learned counsel for the State prays for rejection of the bail application.
6. I have heard learned counsel appearing for the parties and perused

the case diary.

7. Considering the overall facts and circumstances of the case, the nature and gravity of the allegations levelled against the applicant, the fact that the earlier first bail application of the applicant, being MCRC No. 8617/2025, was dismissed on merits by this Court vide order dated 30.10.2025, and further considering that 20 kilograms of contraband ganja, which falls within the ambit of commercial quantity, has been seized in the present case, thereby attracting the rigours of Section 37 of the NDPS Act, this Court is not inclined to enlarge the applicant on bail. So far as the new ground raised in the present second bail application, non-examination of prosecution witnesses till date, is concerned, the same, by itself, cannot be said to constitute a substantial change in circumstances so as to persuade this Court to take a view different from the one already taken while rejecting the earlier bail application on merits, particularly when the allegations involve transportation of commercial quantity of contraband. In view of the aforesaid, this Court is of the considered opinion that no case for grant of bail is made out.
8. Accordingly, the bail application of the applicant namely, Dharmendra @ Sonu Sonkar, involved in Crime No. 29/2025 registered at Police Station- Singhoda, District- Mahasamund (C.G.), for the offence punishable under Sections 22(B) of the NDPS Act, is **rejected**.
9. The Director General of Police, Chhattisgarh, is directed to ensure the presence of all the prosecution witnesses, including seizure

witness who are police personnel, for recording their evidence on the next date fixed. Failing which, their salaries shall be stopped, as the conclusion of the trial is being delayed due to the laxity of the police personnel.

10. A copy of this order be sent to the Director General of Police, Chhattisgarh through the learned State counsel for information and necessary action forthwith.

11. Registrar (Judicial) 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**