



CGHC010226222026



2026:CGHC:34613

NAFR

RUCHI
YADAV

Digitally
Signed by
RUCHI
YADAV

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 5515 of 2026

1 - Sani Santosh Kale S/o Santosh Sitaram Kale Aged About 22 Years R/o Uklewasti, Dahiwadi, Sikrapur, P.S. Sikrapur, District Pune (Maharashtra) (Accused Name Correctly Mention As Per Aadhar Card)

... Applicant(s)

versus

1 - State of Chhattisgarh Through Police Station Ganj, District Raipur (C.G.)

... Respondent(s)

For Applicant(s)	:	Mr. Pragalbha Sharma, Advocate
For Respondent(s)/State	:	Ms. Ritika Verma, Panel Lawyer

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

06.08.2026

1. This is the **first bail application** filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking grant of regular bail to the applicant, who is in judicial custody in connection with Crime No. 58/2026 registered at Police Station Ganj, District Raipur (Chhattisgarh), for the offence punishable under Section 20(b) of the

Narcotic Drugs and Psychotropic Substances Act, 1985.

- 2.** The case of the prosecution, in brief, is that during town patrolling, the police received secret information that two young persons were looking for customers to sell contraband ganja near Chunabhatti Expressway Road. After recording the information and complying with the mandatory provisions of the NDPS Act, the police party conducted a raid and apprehended the applicant and the co-accused. It is alleged that 8.470 kilograms of ganja was recovered and seized from their possession. Thereafter, they were arrested, a crime was registered against them, and after completion of the investigation, the charge-sheet was filed.
- 3.** Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. It is submitted that the alleged quantity of ganja seized is below the commercial quantity and, therefore, the rigours of Section 37 of the NDPS Act are not attracted. It is further submitted that the applicant has been in judicial custody since 21.02.2026, the charge-sheet has already been filed, and the trial is likely to take considerable time to conclude. It is, therefore, prayed that the applicant be enlarged on regular bail.
- 4.** Per contra, learned State counsel opposes the bail application and submits that although the charge-sheet has been filed, considering the nature and gravity of the allegations, the quantity of contraband seized, and the material collected during the investigation, no case for grant of bail is made out. It is, therefore, prayed that the bail application be rejected.

5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, particularly the fact that the alleged quantity of contraband seized is below the commercial quantity, the applicant has been in judicial custody since 21.02.2026, the charge-sheet has already been filed and the trial is likely to take considerable time to conclude, this Court is of the considered opinion that the applicant has made out a case for grant of regular bail.
7. Accordingly, the bail application is **allowed**. Let the Applicant – **Sani Santosh Kale** involved in Crime No.-58/2026 registered at Police Station Ganj, District Raipur (Chhattisgarh), for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985, be released on bail on furnishing **personal bond** with **two local sureties** in the like sum to the satisfaction of the 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 his 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 the 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.

8. However, this Court hopes and trusts that the trial Court shall make an earnest endeavour to conclude the trial expeditiously from the receipt of this order in accordance with law, if there is no legal impediment.
9. 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