



2026:CGHC:26375

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 5674 of 2026**

**1 - Sujit Kumar Verma S/o Shri Suresh Kumar Aged About 22 Years
R/o- Ward No.- 03, Village- Koliha, P.S.- Lawan, Distt.- Balodabazar-
Bhatapara (C.G.)**

**2 - Birendra Kumar Verma S/o Chudamani Verma Aged About 22 Years
R/o- Ward No.- 03, Village- Koliha, P.S.- Lawan, Distt.- Balodabazar-
Bhatapara (C.G.)**

... Applicant(s)**versus**

State Of Chhattisgarh Through The Station House Officer, Poilce
Station- Lawan, Distt.- Balodabazar-Bhatapara (C.G.)

... Respondent(s)

For Applicant(s) : Mr. Sumit Shrivastava, Advocate.

For Respondent(s) : Mr. Shubham Bajpai, P.L.

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****29/06/2026**

**1. This is the first bail application filed under Section 483 of the
Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for**

grant of regular bail to the applicants who have been arrested in connection with Crime No. 119/2026 registered at Police Station Lawan, Distt.- Balodabazar-Bhatapara (C.G.) under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Case of the prosecution, in brief, is that on 17.04.2026, acting on secret information, the police of Police Station Lawan intercepted the applicants, Sujeet Kumar Verma and Birendra Kumar Verma, near Koliha Canal, in front of the field of Pankaj Pade, Lawan, while they were allegedly transporting 15.928 kg of ganja on a TVS Jupiter scooter. The contraband was seized, and an offence under Section 20(b) of the NDPS Act was registered. After completion of the investigation, the police filed the charge-sheet before the competent Court against the applicants. Hence, the bail application.
3. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case and the contraband Ganja was not seized from the exclusive possession of the applicants. He further submits that that prosecution agency has not followed the provisions under Section 42 of the NDPS Act and not taken search warrant from the superior authority. He also submits that from the joint possession of the applicants intermediate quantity of the psychotropic substance ganja has been seized, and therefore, it will not attract the rigors of Section 37 of the NDPS Act as the commercial quantity of ganja as

prescribed under the schedule is more than 20 kgs and from the joint possession of the applicants only 15.928 kg Ganja has been seized. He later submits that the applicants have no criminal antecedent and they are in jail since 17.04.2026 and the 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 appearing for the State/non-applicant would oppose the bail application and submit that the charge-sheet has been filed in the present case before the competent Court and also endorse the said submission that the applicants have no criminal antecedent. He further submits that from the joint possession of the applicants contraband article *i.e.* 15.928 kg of Ganja is seized, therefore, the applicants are not entitled for grant of bail.
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 and the fact that the applicants have no criminal antecedents and the contraband article *i.e.* 15.928 kg Ganja recovered from the joint possession of the applicants is less than the commercial quantity prescribed under the NDPS Act and the charge-sheet has been filed in the present case before the competent Court, this Court is of the view that the applicants are entitled to be released on bail in this case.

7. Accordingly, the application is **allowed**.

8. Let the Applicants - **Sujit Kumar Verma** and **Birendra Kumar Verma**, involved in Crime No. 119/2026 registered at Police Station Lawan, Distt.- Balodabazar-Bhatapara (C.G.) under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985, be released on bail on their furnishing **personal bond** with **two sureties each** in the like sum to the satisfaction of the Court concerned with the following conditions:-

(i) The applicants 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 applicants shall remain present before the trial court on each date fixed, either personally or through their counsel. In case of their absence, without sufficient cause, the trial court may proceed against them under Section 269 of Bharatiya Nyaya Sanhita.

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

(iv) The applicants 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 applicants are 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 them in accordance with law.

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

Sd/-
(Ramesh Sinha)
Chief Justice