



CGHC010242892026



2026:CGHC:31513

RUCHI  
YADAVDigitally  
Signed by  
RUCHI  
YADAV**NAFR****HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 5723 of 2026**

1 - Iftexhar Khan S/o Ayub Khan Aged About 39 Years R/o Gandhi Nagar, Bhilai-03, Near Canal, P.S. Bhilai-3, Distt. Durg, Chhattisgarh.

**--- Applicant(s)****versus**

1 - State of Chhattisgarh Through P.S. Khursipar, Distt. Durg, Chhattisgarh.

**--- Respondent(s)****With****MCRC No. 6497 of 2026**

1 - Mohammed Abbas Raza S/o Shamshaad Raza Aged About 30 Years R/o Sector 02, Street No. 3 Quarter No. 29 Bhilai Police Station Bhatti, Thana Tehsil And Distirct Durg C.G.

**---Applicant(s)****Versus**

1 - State of Chhattisgarh Through P.S Khursipar, District Durg C.G.

--- Respondent(s)

|                         |   |                          |
|-------------------------|---|--------------------------|
| For Applicant(s)        | : | Mr. B.P. Singh, Advocate |
| For Respondent(s)/State | : | Mr. Saurabh Sahu, P.L.   |

**Hon'ble Mr. Ramesh Sinha, Chief Justice****Order on Board****23.07.2026**

1. Since both the bail applications arise out of the same crime number, they are being heard and decided by this common order.
2. These are the **first bail applications** filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking grant of regular bail to the applicants, who have been arrested in connection with Crime No. 55/2026 registered at Police Station Khursipar, Bhilai, District Durg (C.G.) for the offences punishable under Sections 21(c), 22 and 27A of the Narcotic Drugs and Psychotropic Substances Act, 1985.
3. As per the prosecution case, on 14.02.2026, the Assistant Sub-Inspector of Police Station Khursipar received a secret information that the applicant and the co-accused were illegally possessing and selling intoxicating cough syrup and psychotropic capsules from a Tata Safari bearing Registration No. CG-07-CH-9614 near Pt. Deendayal Mini Stadium, Khursipar. Acting upon the said information, the police party reached the spot, intercepted the vehicle and conducted a search in accordance with law. During the search, 17 bottles (100 ml each) of AASCO-T

Cough Syrup and cash of ₹5,000/- were allegedly recovered from the possession of the one applicant, while 104 PROXIOHM-SPAS capsules were recovered from the possession of another applicant, for which they could not produce any valid licence or authority. During investigation, the seized contraband was found to contain Codeine and Tramadol, which are psychotropic substances under the Narcotic Drugs and Psychotropic Substances Act, 1985. On the basis of the aforesaid recovery, the present offence was registered against the applicants.

4. Learned counsel appearing for the applicants submits that the applicants are innocent and have been falsely implicated in the present case. It is submitted that no contraband has been recovered from the exclusive possession of applicant Iftexhar Khan. So far as applicant Mohammed Abbas Raza is concerned, it is submitted that the alleged recovery of 104 capsules is of an intermediary quantity and the capsules are medicinal preparations containing Tramadol along with other pharmaceutical ingredients. It is further submitted that the charge-sheet has already been filed and no further custodial interrogation of the applicants is required. The applicants have no criminal antecedents and have remained in judicial custody since 14.02.2026. As the conclusion of the trial is likely to take considerable time, it is prayed that both the applicants be enlarged on regular bail.

5. Learned State counsel opposes the bail applications and submits that as per the affidavit filed by the Investigating Officer, 17 bottles of AASCOT Cough Syrup (100 ml each) were recovered from the possession of the applicant Iftekhar Khan, as reflected in the seizure memo. It is further submitted that the samples of the seized cough syrup were examined by the Drugs Inspector, Food and Drugs Administration, Durg, who reported that the seized cough syrup falls within the ambit of the NDPS Act. Considering the nature and gravity of the allegations and the material collected during the investigation, it is prayed that the bail applications be rejected.
6. I have heard learned counsel for the parties and perused the material available on record.
7. Taking into consideration the entire facts and circumstances of the case, this Court finds that the allegations against the applicants are serious in nature. The material collected during the course of investigation prima facie indicates that 17 bottles of AASCOT Cough Syrup were recovered from the possession of applicant Iftekhar Khan, and the report of the Drugs Inspector, Food and Drugs Administration, Durg, reveals that the seized cough syrup falls within the ambit of the Narcotic Drugs and Psychotropic Substances Act, 1985. So far as applicant Mohammed Abbas Raza is concerned, psychotropic capsules were allegedly recovered from his possession. Having regard to

the nature and gravity of the allegations, the total recovery made from both the applicants is more than the commercial quantity. Moreover, there is no explanation given by the applicants about the recovery made from their exclusive possession. Considering the recovery effected from the applicants and the material available on record, this Court is not inclined to extend the benefit of bail to the applicants. Accordingly, without expressing any opinion on the merits of the case, no case for grant of bail is made out. Accordingly, the bail applications preferred by the applicants **Iftekhar Khan** and **Mohammed Abbas Raza**, in connection with Crime No.55/2026 registered at Police Station Khursipar, Bhilai, District Durg (C.G.) for the offences punishable under Sections 21(c), 22 and 27A of the Narcotic Drugs and Psychotropic Substances Act, 1985, deserves to be and is hereby **rejected** at this stage.

8. Needless to say that the trial Court concerned is at liberty to proceed and conclude the trial expeditiously.
9. The Office is directed to provide a certified copy of this order to the trial Court for necessary information and compliance forthwith.

Sd/-  
**(Ramesh Sinha)**  
**CHIEF JUSTICE**