



2026:CGHC:27401

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 5902 of 2026

Saurabh Thakur S/o - Hemant Singh Thakur, Aged About 29 Years R/o - A-11, Thakur Niwas Pawan Vihar Colony, New Rajendra Nagar P.S. New Rajendra Nagar, Raipur District- Raipur (C.G.)

... Applicant

versus

State of Chhattisgarh Through Station House Officer, Police Station - New Rajendra Nagar, Raipur District- Raipur (C.G.)

... Non-applicant

For Applicant	: Mr. Wasim Miyan, Advocate.
For Non-applicant/State	: Ms. Monika Thakur, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

03.07.2026

1. This is the first 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. 153/2026 registered at Police Station – New Rajendra Nagar, District – Raipur (C.G.) for the offence under Section 21(b) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. The prosecution story in brief is that on 16.04.2026, the police personnel of Police Station Rajendra Nagar, District Raipur (C.G.), received secret information to the effect that one person was in possession of

contraband. Acting upon the said secret information, the police conducted a search and allegedly recovered and seized 7 grams of heroin from his possession, whereafter he was arrested.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. He submits that an intermediate quantity of a psychotropic substance, i.e. 7 grams of heroin, was allegedly seized from the possession of the applicant, which is below the commercial quantity. He further submits that the applicant has no criminal antecedents under the NDPS Act and has been in custody since 17.04.2026. Since the conclusion of the trial is likely to take considerable time, he prays for the grant of regular bail to the applicant.
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 submission made by learned counsel for the applicant that the applicant has no criminal antecedents.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. After hearing the submissions advanced by learned counsel for the parties and considering the fact that the contraband article i.e. 7 grams of heroin, were allegedly seized from the possession of the applicant, which is below the commercial quantity, and further considering that the applicant has no criminal antecedents, that the charge-sheet has already been filed, that the applicant has been in custody since 17.04.2026, and that the conclusion of the trial is likely to take considerable time, I am of the opinion that the applicant is entitled to be released on bail in the present case.

7. Let the Applicant - **Saurabh Thakur**, involved in Crime No. 153/2026 registered at Police Station – New Rajendra Nagar, District – Raipur (C.G.) for the offence under Section 21(b) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, be released on bail on furnishing **personal bond** with **two 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. 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**

Abhishek