



CGHC010259272026



2026:CGHC:32316

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DEWANGAN**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 6566 of 2026**

Arbaz Khan Urf Babbu S/o- Aneesh Khan, Aged About 22 Years R/o-
Camp-1, Nehru Chowk, Pragati Nagar, Behind Goyal Medical, Police
Station- Chhawani, District- Durg (C.G.)

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

State Of Chhattisgarh Through- Station House Officer, P.S. - Khursipar,
Bhilai, District- Durg (C.G.)

---- Non-Applicant(s)

For Applicant : Mr. Avinash Chand Sahu, Advocate.

For Non-Applicant/State : Ms. Ritika Verma, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****28/07/2026**

1. This is the Second bail application filed under Section 483 of the
Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail to
the applicant who has been arrested in connection with Crime No.
282/2025 registered at Police Station Khursipar, Bhilai District-
Durg (C.G.), for the offence punishable under Sections 8, 22(C),
27(A) of the NDPS Act and Section 111(3) of BNS, 2023.
2. The earlier first bail application of the applicant being MCRC No.

4028 of 2026 was rejected by this Court vide order dated 11.05.2026, on merits. Hence, this second bail application

3. The case of the prosecution, in brief, is that on 03.10.2025, Sub-Inspector Motilal Mahilwar of Police Station Khursipar received secret information from an informer that certain persons were illegally dealing in narcotic drugs and psychotropic substances. Acting upon the said information, the police party, along with independent witnesses, reached the spot, cordoned off the area and apprehended the present applicant along with other co-accused persons. During search, the following contraband was allegedly recovered from their possession:

Name of the Accused	Substance	Quantity
Arbaz Khan (Applicant)	Alprazo Tablets (0.5 mg)	700 Pieces
Rajneesh Pandey	Prosygco Spas	192 Pieces
Vipin Gems @ Chotu	Prosygco Spas	312 Pieces
Shyam Kanhaiya	Prosygco Spas	264
Vishwakarma	Tramadol	Pieces
Ranjeet Ram	Prosygco Spas	280
	Tramadol	Pieces
Abhijeet Kumar	Prosygco Spas	296
Sahu	Tramadol	Pieces

Accordingly, Crime No. 282/2025 was registered against the applicant and other co-accused persons for the offences punishable under Sections 8, 22(C) and 27-A of the NDPS Act. The applicant was arrested on 03.10.2025 and, after completion of investigation, charge-sheet has been filed before the competent Court.

4. Learned counsel for the applicant submits that this is the second bail application, the first bail application of the applicant was rejected by this Court on merits and the new ground for filing of the same is that, according to him, the applicant was taken by the police from his residence during the course of investigation and no contraband was recovered from his exclusive possession. It is further submitted that there is no eye-witness to connect the applicant with the alleged offence and the prosecution case is yet to be tested during trial. He further submits that the applicant has no criminal antecedents, has remained in custody since 03.11.2025, the investigation is complete and charge-sheet has already been filed, therefore, no further custodial interrogation is required. Learned counsel further submits that the applicant is a regular B.A. student and his continued incarceration would seriously prejudice his academic career. It is also argued that several co-accused persons, namely Rohit Paswan and Mohsin Khan vide order dated 24.03.2026, Vipin @ Chotu James and Durgesh Soni @ Laddu vide order dated 01.04.2026, and Shyam Kanhaiya Vishwakarma and Indrajeet Singh @ Indal vide order dated 07.04.2026, have already been enlarged on bail. It is further argued that the CCTV footage collected from near the residence of the applicant supports his defence and demonstrates that he was not present at the place of occurrence and therefore, on the ground of parity, the present applicant is also entitled to be released on bail.
5. On the other hand, learned State counsel opposes the prayer for grant of bail and submits that the present applicant has been found

in conscious possession of 700 Alprazo tablets, which constitute commercial quantity under the provisions of the NDPS Act. He further submits that although certain co-accused persons have been granted bail, the quantity of contraband allegedly recovered from their possession was below commercial quantity, whereas the case of the present applicant stands on an entirely different footing, as 700 Alprazo tablets, i.e., above commercial quantity, were seized from his possession. Therefore, the principle of parity is not applicable. Hence, the bail application deserves to be rejected.

6. I have heard learned counsel for the parties and perused the case diary as well as the material available on record.
7. Taking into consideration the facts and circumstances of the case, the nature and gravity of the allegations and also the fact that the first bail application of the applicant has already been rejected by this Court on merits and further the quantity of contraband allegedly recovered from the possession of the present applicant is above commercial quantity and further considering that although certain co-accused persons have been granted bail but the quantity allegedly recovered from them was below commercial quantity and, therefore, the case of the present applicant is clearly distinguishable from that of the said co-accused, this Court is of the considered opinion that, at this stage, no case for grant of bail is made out, the applicant has failed to raise any ground to interfere by this Court. Accordingly, without expressing any opinion on the merits of the case, I am not inclined to extend the benefit of regular bail to the present applicant.

8. Accordingly, the bail application of the applicant namely-**Arbaz Khan urf Babbu**, involved in Crime No. 282/2025 registered at Police Station Khursipar, Bhilai District- Durg (C.G.), for the offence punishable under Sections 8, 22(C), 27(A) of the NDPS Act and Section 111(3) of BNS, 2023, is hereby **rejected**.
9. Needless to say that the trial Court concerned is at liberty to proceed and conclude the trial expeditiously.
10. 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**