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Date: 2026.07.14
16:15:20 +0530**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 6277 of 2026**

Prince Kumar S/o Brahmadev Aged About 39 Years R/o Ward No. 31, K
L C Zone, 02, Sector 11, Khursipar, Bhilai, Tahsil And District Durg
Chhattisgarh (As Per Correct Details) **...Applicant**

versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Purani Bhilai, District Durg Chhattisgarh **...Non-applicant**

For Applicant : Mr. Sameer Rigri, Advocate.

For Non-applicant/State : Ms. Ankita Shukla, Panel Lawyer.

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

14.07.2026

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. 102/2026 registered at Police Station – Purani Bhilai, District
Durg (C.G.), for the offence punishable under Section 20(b),
22(c), 27(a) & 8 of the Narcotic Drugs and Psychotropic

Substances Act, 1985.

2. The prosecution story in brief, is that, on 19.02.2026, the police authorities received credible information from a reliable informant that the applicant, along with other co-accused persons, was illegally possessing and selling narcotic drugs at the residence of Prince Kumar situated in Dream City, Bhilai. Acting upon the said information, the police constituted a raiding party and conducted a raid at the specified location, where the applicant and the co-accused were found present. During the search, the police recovered a plastic box from the possession of the applicant containing 400 capsules of Dicyclomine and Tramadol Hydrochloride (Poxico Spas), having a total weight of 299 grams. As the applicant failed to produce any valid licence or authorization for possessing the said contraband, the same was seized in accordance with law, and the applicant was apprehended. Thereafter, a First Information Report bearing Crime No. 102/2026 was registered at Police Station Purani Bhilai, District Durg, for the offences punishable under Sections 8, 20(b), 22(c), and 27(a) of the Narcotic Drugs and Psychotropic Substances Act, 1985, and the seized samples were sent for forensic examination during the course of investigation.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case without any cogent evidence. It is contended that the applicant, aged about 39 years, has been in judicial custody since

20.02.2026, the investigation has already been completed, and no further custodial interrogation is required. It is further submitted that there was an unexplained delay in drawing samples and obtaining the FSL report, which is in violation of Rule 14 of the NDPS Rules, 2022, thereby causing serious prejudice to the applicant. Counsel further submits that the applicant has no criminal antecedents and that similarly placed co-accused persons have already been enlarged on bail by this Court in MCRC Nos. 3289/2026, 3082/2026, and 4438/2026, and therefore the applicant is also entitled to the benefit of parity. It is also submitted that the applicant is the sole breadwinner of his family, and his continued incarceration has caused severe financial hardship to his dependents. As the trial is likely to take considerable time to conclude, continued detention of the applicant would serve no useful purpose. It is further submitted that the applicant is a permanent resident of the address mentioned in the cause title, there is no likelihood of his absconding or tampering with the prosecution evidence, and he is ready and willing to furnish adequate bail bonds and abide by all such terms and conditions as may be imposed by this Hon'ble Court. Therefore, it is prayed that the applicant be released on bail.

4. Learned State Counsel opposed the bail application and submitted that a commercial quantity of psychotropic capsules containing Tramadol Hydrochloride was recovered from the

conscious possession of the applicant during the raid conducted on the basis of credible secret information. It was further submitted that the applicant failed to produce any valid licence or authority for possessing the contraband and that the FSL report confirms the seized substance to be a psychotropic drug covered under the NDPS Act. Considering the gravity of the offence, the commercial quantity involved, and the bar contained under Section 37 of the NDPS Act, it was prayed that the bail application deserves to 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, the submissions advanced by learned counsel for the parties, the nature and gravity of the allegations, and the material available on record, this Court finds that 400 capsules of Dicyclomine and Tramadol Hydrochloride (Poxico Spas), weighing 299 grams, were recovered from the conscious possession of the present applicant. Prima facie, the recovered contraband falls within the category of commercial quantity under the provisions of the Narcotic Drugs and Psychotropic Substances Act, 1985. The applicant has failed to furnish any satisfactory explanation regarding his possession of the said contraband. The recovery of such commercial quantity prima facie indicates the applicant's involvement in the illicit trafficking of psychotropic substances, thereby attracting the rigours of Section 37 of the NDPS Act. Though the applicant has

sought parity with the co-accused, this Court finds that the co-accused was granted bail on the ground that the contraband recovered from his possession was less than commercial quantity. The case of the present applicant stands on a different footing, as the recovery effected from his conscious possession is of commercial quantity; therefore, he is not entitled to claim parity with the co-accused. Considering the gravity of the offence, the statutory rigour contained in Section 37 of the NDPS Act, 1985, and the material available on record, this Court does not find any reasonable ground to believe that the applicant is not guilty of the alleged offence or that he is not likely to commit any offence while on bail. Accordingly, no case for grant of bail is made out, and the bail application deserves to be **rejected**.

7. Accordingly, the bail application of the applicant – **Prince Kumar**, involved in Crime No. 102/2026 registered at Police Station – Purani Bhilai, District Durg (C.G.), for the offence punishable under Section 20(b), 22(c), 27(a) & 8 of the Narcotic Drugs and Psychotropic Substances Act, 1985, is **rejected**

Sd/-

(Ramesh Sinha)
Chief Justice