



CGHC010294622026



2026:CGHC:37192

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 7053 of 2026

Ajay Rajput S/o Raju Rajput Aged About 25 Years R/o Village Badera,
Post Ghisauli, Block Babina, District- Jhansi, Uttar Pradesh.

... Applicant

versus

Directorate Of Revenue Intelligence Raipur Regional Unit, Raipur,
District Raipur, C.G.

... Non-Applicant

For Applicant : Shri BP Singh, Advocate.

For Non-Applicant : Shri Manish Sharma, Sr. Standing Counsel.

Hon'ble Shri Ramesh Sinha, Chief Justice Order on Board

19/08/2026

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.47/2025 registered at Police Station Directorate of Revenue
Intelligence Raipur, District Raipur (C.G.) for the offence under
Section 20 (C), 25, 29, 27-A of the NDPS Act.

KRISHNA
KUMAR
BARVE

Digitally
signed by
KRISHNA
KUMAR
BARVE
Date:
2026.08.20
19:35:08
+0530

2. Case of the prosecution is that on 31/10/2025 DRI officer Dhirendra Singh has got secret information that in a white coloured Tata Harrier Car, Bearing Reg No UP-14-ED-9088 in which 200-300 kg Ganja was being transported through Deori to Raipur- Durg and was going towards Jhansi and that car will reach between 2- 3 PM at Kumhari Toll Plaza and upon that information, the DRI officers have prepared a team and intercepted co-accused Rajaram Pal and Sishupal Rajput and from the joint possession of the co-accused total 271.641 kg Ganja was seized from the said car and thereafter Crime was registered under Sec 20[C], 25, 27-A and 29 NDPS Act and the chargesheet was filed. During the course of investigation and upon the memorandum of applicant and other co-accused it is alleged against the applicant that applicant has hatched a conspiracy for purchasing the said contraband and has provided money to Rajaram Pal and Sishupal and has abetted them to go and meet co-accused Anand Mishra to purchase the said contraband from Anand Mishra and hence the applicant has committed the crime. Thereafter the offence was registered against the present applicant and co-accused persons. Hence the bail application.
3. It has been argued by learned counsel for the applicant that the applicant is innocent and has been falsely implicated in the crime. No contraband has been seized from the applicant sole possession. The applicant is being made accused on the basis of

memorandum of the co-accused which is not admissible as per law. The statement made by the accused and recorded u/s 67 of the NDPS Act cannot be used as the confessional statement because it is recorded in the custody and thus it cannot be used for conviction. This dictum is settled in the matter of *Rajkumar Hariram Gametti v. State of Gujarat and another*, {(2024)11 SCC 421}. The applicant is not the owner of the mobile seized in the matter and used, and he has no control over the said mobile even then, there is no transcription available in the chargesheet that what has been found in the said mobile phone. The applicant has one criminal antecedent under the NDPS Act. He is in jail since 10.4.2026. Therefore, the applicant may be released on bail.

4. On the other hand, learned counsel appearing for the non-applicant would oppose the bail application and submit that the applicant has one criminal antecedent under the NDPS Act. Moreover, bail application of co-accused Anand Mishra has already been rejected by this Court vide order dated 18.6.2026 passed in MCRC No.5141/2026. Therefore, the present bail application may be rejected.
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 charge-sheet has been filed in this case, further the applicant has one previous criminal antecedent under

the NDPS Act which is pending which shows that the applicant is a habitual offender and it cannot be said to be a case of false implication and also in light of the judgment rendered by the Supreme Court in **Deepak Yadav v. State of Uttar Pradesh & Another**, reported in {(2022) 8 SCC 559}, wherein the Hon'ble Supreme Court had cancelled the bail granted to the accused therein on the ground that the accused had previous antecedents and further considering that bail application of co-accused Anand Mishra has already been rejected by this Court vide order dated 18.6.2026 passed in MCRC No.5141/2026, this Court is not inclined to release the applicant on bail.

7. Accordingly, the bail application of applicant – **Ajay Rajput**, involved in Crime No.47/2025 registered at Police Station Directorate of Revenue Intelligence Raipur, District Raipur (C.G.) for the offence under Section 20 (C), 25, 29, 27-A of the NDPS Act, is **rejected**.
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

Barve