



CGHC010314722026



2026:CGHC:44779

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8349 of 2026

Saif Ali Rao S/o Irshad Rao Aged About 22 Years Resident Of Jwalapur,
Gyatri Vihar, Tahsil- Sarai, Post- Sarai, District- Haridwar, Uttarakhand,
Pin 249404

... Applicant(s)

versus

State Of Chhattisgarh Through Police Station- Jagdalpur, District- Bastar,
Chhattisgarh

... Non-Applicant(s)

For Applicant	: Mr. Ravi Kumar Bhagat, Advocate.
For Non-Applicant/State	: Mr. K.S. Saini, Dy. Govt. Advocate.

Hon'ble Mr. Rakesh Mohan Pandey, Judge

Order on Board

16/10/2026

1. The applicant has preferred this first bail application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail, as he has been arrested in connection with Crime No. 58/2025 registered at Police Station Kotwali Jagdalpur, District Bastar (C.G.), for the offence punishable under Section 20(b)(II)(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. The prosecution story, in brief, is that, on the basis of secret information received by the police, the applicant along with the co-

accused persons was allegedly found in joint possession of three backpacks containing nine packets wrapped with plastic tape, weighing a total of 78.106 kilograms of ganja, which is a commercial quantity. During the course of the search and seizure, five mobile phones, the Aadhaar card, PAN card and SBI ATM card of co-accused Jishan Ahmed and purchase receipts of two trolley bags were also seized. On the basis of the aforesaid seizure, the offence under the NDPS Act was registered against the applicant and the co-accused.

3. Learned counsel for the applicant would submit that the applicant is innocent and has been falsely implicated in the present case. He would further submit that the bail application of co-accused Jishan Ahmed was rejected on merits by a coordinate Bench of this Court in MCRC No. 9199/2025, vide order dated 16.12.2025. However, the said co-accused preferred SLP (Criminal) No. 32840/2026 before the Hon'ble Supreme Court, and vide order dated 17.07.2026, the Hon'ble Supreme Court granted him bail. He would also submit that the applicant has no criminal antecedents. Therefore, on the ground of parity, the applicant is also entitled to be released on bail.
4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that the quantity of contraband allegedly recovered from the joint possession of the applicant and the co-accused persons is 78.106 kilograms, which is much above the commercial quantity. However, he did not dispute the fact that co-

accused Jishan Ahmed has been granted bail by the Hon'ble Supreme Court vide order dated 17.07.2026.

5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having considered the facts and circumstances of the case, nature and gravity of offence alleged against the applicant, the quantity of contraband allegedly seized from the joint possession of the applicant and the co-accused persons and particularly the fact that the bail application of co-accused Jishan Ahmed was rejected on merits by a coordinate Bench of this Court in MCRC No. 9199/2025, vide order dated 16.12.2025, but the Hon'ble Supreme Court subsequently granted bail to him vide order dated 17.07.2026 in SLP (Criminal) No. 32840/2026, coupled with the fact that the applicant has no criminal antecedents, thus without further commenting upon the merits of the case, I am inclined to grant bail to the applicant on the ground of parity.
7. Accordingly, the bail application of the applicant is **allowed**. It is directed that in the event of the applicant executing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, he shall be released on bail on the following conditions:-
 - (i) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court;

(ii) he shall not act in any manner which will be prejudicial to fair and expeditious trial, &

(iii) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

**Sd/-
(Rakesh Mohan Pandey)
Judge**

Kunal