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DEWANGAN**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 8039 of 2026**

Shubham Thakur S/o Late Narendra Singh Thakur Aged About 23 Years
R/o Jawahar Nagar Ward, Bhetguda, Jagdalpur, P. S. Bodhghat, District
Bastar C. G.

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

State Of Chhattisgarh Through The Police Station Bodhghat, District
Bastar C. G.

---- Non-Applicant(s)

For Applicant	:	Mr. Pravin Kumar Tulsyan, Advocate.
For Non-Applicant	:	Ms. Palak Dwivedi, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****01/09/2026**

1. Learned counsel for the applicant submits that the default pointed out by the Registry has been cured.
2. This is the first bail application filed under Section 483 of the BNSS for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 240/2026, registered at Police Station Bodhghat, District Bastar (C.G.), for the offence punishable under Section 21(b) of the NDPS Act.

3. As per the case of the prosecution in brief is that on 21.06.2026, the police officials of Police Station Bodhghat, District Bastar (C.G.), received secret information from the informant and acting upon confidential information, conducted a search and allegedly recovered 30 strips of “Pyeevon Spas Tramadol Plus HCL & Acetaminophen Capsules” from the possession of the applicant. Each strip contained 8 capsules and each capsule weighed 0.67 grams, having a total weight of 160.8 grams. Accordingly, the aforesaid offence was registered against the applicant and after completion of investigation, charge-sheet has been filed before the competent Court.
4. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case and has not committed the alleged offence. It is further submitted that the applicant has no previous criminal antecedents and the investigation has already been completed and charge-sheet has been filed before the competent Court. It is also submitted that the alleged quantity attributable to the present applicant is below the commercial quantity, however, the prosecution has prepared a common seizure memo by clubbing the alleged quantity and has shown the same as commercial quantity, which is seriously disputed and is a matter to be considered during trial. Learned counsel submits that the applicant is in custody since 21.06.2026 and the trial is likely to take considerable time for its conclusion therefore, he prays for grant of bail to the applicant.
5. On the other hand, learned State counsel opposes the prayer for

grant of bail and submits that in the present case, charge-sheet has been filed before the competent Court and the quantity of contraband article which has been recovered from the possession of the applicant, is less than commercial quantity moreover, the applicant has a criminal antecedent under the IPC which has not been explained in the bail application as such, he is not entitled for grant of bail.

6. I have heard learned counsel for the parties and perused the case diary and other material available on record.
7. Considering the facts and circumstances of the case, nature and gravity of the offence levelled against the applicant, the period of detention of the applicant since 21.06.2026 and further considering the fact that the quantity of contraband article allegedly recovered from the possession of the applicant is less than the commercial quantity and the charge-sheet has been filed in the present case, the applicant has only one criminal antecedent under the IPC and the conclusion of the trial is likely to take some time, I am of the considered view that the applicant deserves to be enlarged on bail.
8. Accordingly, the bail application of the applicant is **allowed**.
9. Let the Applicant- **Shubham Thakur**, involved in Crime No. 240/2026, registered at Police Station Bodhghat, District Bastar (C.G.), for the offence punishable under Section 21(b) of the NDPS Act, be released on bail on his furnishing a **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.

- 10.** Office is directed to send a certified copy of this order to the trial Court concerned for necessary information.

**Sd/-
(Ramesh Sinha)
Chief Justice**