



CGHC010339982026



2026:CGHC:39066

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8169 of 2026

Afsana B Alias Gudiya W/o Sheikh Hasim Aged About 37 Years (Wrongly Mentioned As Afsana B Gudiya, in impugned order), Gram Motibag Chowk, Infront of Union Club, P. S. Gol Bazar, District – Raipur, C. G.

... Applicant

versus

State of Chhattisgarh Through- Station House Officer, Police Station - Golbazar Raipur, District- Raipur, C. G.

... Non-Applicant

For Applicant : Mr. Durlabh Kumar Agrawal, Advocate.

For Non-Applicant/State : Mr. Monika Thakur, Panel Lawyer.

Hon'ble Shri Ravindra Kumar Agrawal, Judge

Order on Board

03.09.2026

1. The applicant has preferred this first bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail as she has been arrested in connection with Crime No. 98/2026, registered at Police Station - Golbazar, District - Raipur (C.G.) for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substance Act, 1985.
2. As per the prosecution story, the Investigating Officer of Police Station Golbazar received classified information, whereafter the concerned Police

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Station, while conducting a raid, allegedly seized a bag containing Ganja weighing 1.500 kgs from the possession of the applicant. Thereafter, Crime No. 98/2026 dated 22.06.2026 was registered, and the applicant was arrested on 22.06.2026 for the offence under Section 20(b) of the NDPS Act. After culmination of the investigation, the charge-sheet has been filed before the concerned Trial Court.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that only 1.500 kilograms of Ganja was recovered from the possession of the present applicant, which falls within the intermediate quantity. The investigation has been completed, and the charge-sheet has already been filed. He further submits that the applicant has been in judicial custody since 22.06.2026. The final adjudication of the case is likely to take considerable time. It is also submitted that the applicant has three criminal antecedents, out of which two are under the Excise Act and one is under the NDPS Act, and all the cases are pending. The same has been explained in Part-D of this bail application. Therefore, it is prayed that the applicant be released on bail.
4. On the other hand, learned State counsel opposes the bail application and submits that the charge-sheet has been filed. She further submits that the applicant has three criminal antecedents, out of which two are under the Excise Act and one is under the NDPS Act, therefore, he is not entitled to the grant of bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the submissions made by learned counsel for the parties, the nature of the allegations, the quantity of Ganja allegedly seized from the applicant, the fact that the investigation has been completed and the charge-sheet has already been filed, the fact that the applicant has been

in judicial custody since 22.06.2026, and the criminal antecedents of the applicant, as explained in Part-D of this bail application, I am inclined to release the applicant on bail.

7. Accordingly, the bail application is **allowed**. Let the applicant - **Afsana B Alias Gudiya** involved in Crime No. 98/2026, registered at Police Station - Golbazar, District - Raipur (C.G.) for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substance Act, 1985, be released on bail on her furnishing a personal bond in the sum of Rs. 50,000/- with one surety with the following conditions:-

(i) The applicant shall file an undertaking to the effect that she 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 her counsel. In case of her absence, without sufficient cause, the trial court may proceed against her under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure her 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 her, 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 her in accordance with law.

8. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-

(Ravindra Kumar Agrawal)
Judge