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2026:CGHC:44744

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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9290 of 2026

1 - Pradeep Suryawanshi S/o Ramesh Suryawanshi Aged About 20 Years R/o Ward No. 21, Kharpadipara, Police Station - City Kotwali, District Janjgir-Champa Chhattisgarh.

2 - Harish Rathore S/o Jodhram Rathore Aged About 23 Years R/o Ward No. 23 Near Durga Mandir, Kera Road, Police Station - City Kotwali, District Janjgir-Champa Chhattisgarh.

3 - Murari Suryawanshi S/o Late Rampyare Suryawanshi Aged About 45 Years R/o Ward No. 21, Kharpadipara, Police Station - City Kotwali, District Janjgir-Champa Chhattisgarh.

... Applicants**versus**

State of Chhattisgarh, through Station House Officer, Police Station - Singhoda, District Mahasamund Chhattisgarh.

... Non-Applicant

For Applicants : Mr. Amit Singh Chouhan, Advocate

For Non-Applicant : Mrs. Smriti Shrivastava, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

15/10/2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) on behalf of the applicants for grant of regular bail, who are in custody in connection with Crime No. 74/2026 registered at Police Station Singhoda, District Mahasamund (C.G.) for offences punishable under Sections 20(b)(ii)(B) and 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (NDPS Act).

2. As per the prosecution case, on 11.07.2026, the police team, while proceeding for investigation in an official vehicle bearing registration No. CG-04-PK-5381, received secret information that three persons were transporting illicit *ganja* from Odisha towards Chhattisgarh on a motorcycle and a brown-coloured scooter. After intimating the Sub-Divisional Officer of Police (SDOP), Saraipali, the police party reached National Highway-53, Main Road, Rehtikhol Chowk, and associated independent witnesses by serving notices under Section 179 of the BNSS, thereafter, motorcycle bearing registration No. CG-11-BP-1670, ridden by Harish Rathore along with Murari Suryavanshi as pillion rider, and scooter bearing registration No. DL-11-SV-2022, driven by Pradeep Suryavanshi, were intercepted at the spot. Upon preliminary interrogation, Pradeep Suryavanshi disclosed that contraband *ganja* was concealed inside the storage compartment of the scooter, which he had procured from co-accused Chaitanya Panda (resident of Garbhana, Sohela, Odisha) for illegal sale at Janjgir-Champa (Chhattisgarh). Upon search, a total quantity of 5.160 kg of contraband *ganja* was recovered and seized in accordance with the statutory procedure. Following completion of investigation, charge-sheet was filed before the competent jurisdictional court.
3. Learned counsel appearing for the applicants submits that the applicants are innocent and have falsely been implicated in the present case. The alleged recovered contraband is intermediate quantity, and the rigours of Section 37 of the NDPS Act are not attracted. The applicants have no previous criminal antecedents of a similar nature. The investigation is complete and the charge-sheet has already been filed before the trial Court; the applicants have been languishing in jail since 11.07.2026, and the conclusion of the trial is likely to take considerable time; thus, they may be enlarged on regular bail.

4. *Per contra*, learned State counsel opposes the bail application and submitted that the contraband was seized from the conscious possession of the applicants while transporting it inter-state from Odisha to Chhattisgarh, and therefore they do not deserve to be enlarged on bail.
5. Heard learned counsel appearing for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, particularly the fact that the quantity of contraband alleged to have been seized is intermediate; the charge-sheet has already been submitted and the investigation is complete; the applicants have been in judicial custody since 11.07.2026; the applicants have no criminal antecedents; and the trial is likely to take considerable time for its culmination, without commenting on the merits of the case, this Court is inclined to enlarge the applicants on bail. Accordingly, the bail application is **allowed**.
7. It is directed that in the event of the applicants executing their personal bond for a sum of Rs.50,000/- each with one surety in the like sum to the satisfaction of the concerned trial Court, they shall be released on bail on the following conditions:-
 - (i) they 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) they shall not act in any manner which will be prejudicial to fair and expeditious trial, &
 - (iii) they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-

Rakesh Mohan Pandey
JUDGE

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