



CGHC010384372026



2026:CGHC:44629

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9203 of 2026

Hemant Kumar Kenwat S/o Late Sudharam Kenwat Aged About 26 Years R/o Village- Maldi, Tehsil And Police Station- Bilaigarh, District- Sarangarh-Bilaigarh (C.G.) **... Applicant**

versus

State Of Chhattisgarh Through Police Station - Sarsiwan, District- Sarangarh-Bilaigarh (C.G.) **... Respondent**

For Applicant : Shri Dheerendra Prasad Mishra, Advocate.

For Respondent/State : Ms. Ritika Verma, Panel Lawyer.

(HON'BLE SHRI JUSTICE RAKESH MOHAN PANDEY)

Order on Board

15/10/2026

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. 12/2025, registered at Police Station – Sarsiwan, District – Sarangarh-Bilaigarh (C.G.) for the offence punishable under Sections 20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985, for short, the NDPS Act.
2. As per the case of prosecution, on 08.01.2025, the Station House Officer of Police Station Sarsiwan received secret information that certain persons were illegally transporting contraband Ganja from the side of Saraipali towards Sarsiwan in a white-coloured Swift car and that two of

their associates were piloting the said vehicle on a Hero Super Splendor motorcycle. Acting upon the said information, the Station House Officer, along with the police staff and necessary investigation kit, reached Village Mudpar and laid a barricade. After some time, a Hero Super Splendor motorcycle, as described by the informer, was seen approaching, on which two persons were riding. On being intercepted and questioned, they disclosed their names as Vijay Kumar Kenwat and co-accused Krishna Kumar Kahra and informed the police that their other associates were following them in a Swift car. Thereafter, a white-coloured Swift car was seen approaching and was intercepted by the police. Upon checking the vehicle, three persons were found travelling therein, who disclosed their names as Sandeep Kumar Sahu, Hemant Kumar Kewat (present applicant) and Tiharu Ram Verma. It was further found that, at the place where the registration number plate was required to be affixed, a sticker bearing registration number CG 04 QB 1278 was affixed on the front side, whereas no registration number was displayed at the other place. Upon conducting a search of the said vehicle, two white-coloured plastic bags containing several packets and five separate packets wrapped with brown-coloured plastic tape were allegedly found concealed in the dickey of the car. In all, 45 packets containing a total of 45.780 kilograms of contraband Ganja were allegedly recovered and seized from the vehicle in possession of the applicant and other co-accused persons. Consequently, an offence under the relevant provisions of the NDPS Act was registered against the accused persons and investigation was taken up.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. It is further submitted that no such contraband article i.e. cannabis has been seized from the

possession of the present applicant as the same has been recovered from the car. It is further submitted that the co-accused, namely Krishna Kumar Kahra whose bail application has already been rejected by this Court in MCRC No. 1256/2026 vide order dated 04.02.2026, has preferred an SLP (Crl.) No. 8403/2026 before the Hon'ble Supreme Court and granted bail vide order dated 11.05.2026, a copy of which has been annexed as Annexure A/3. It is also submitted that the charge-sheet has been filed, the applicant has no criminal antecedents and he has been in judicial custody since 09.01.2025 and so far as the status of the trial is concerned, out of 28 prosecution witnesses, only 09 witnesses have been examined and the conclusion of the trial is likely to take some time. In view of the principle of parity, learned counsel prays that the applicant may also be enlarged on bail.

4. On the other hand, the learned counsel for the State opposes the bail application and submits that the charge-sheet has been filed before the competent Court ,however, the quantity of contraband article which has been involved in the present case, is much above the commercial quantity but he could not dispute the fact that the co-accused person has been granted bail by the Hon'ble Supreme Court.
5. I have heard learned counsel for the parties and perused all of the documents available on record.
6. Considering the facts and circumstances of the case, nature and gravity of offence levelled against the applicant and the fact that the quantity of contraband article which was involved in the present case i.e. total 45.780 Kgs of Ganja, which is much above the commercial quantity but considering the fact that the co-accused, namely Krishna Kumar Kahra whose bail application has already been rejected by this Court in MCRC

No. 1256/2026 vide order dated 04.02.2026, has preferred an SLP (Crl.) No. 8403/2026 before the Hon'ble Supreme Court and granted bail vide order dated 11.05.2026 (copy of the order is annexed herewith as Annexure A-3) and so far as the status of the trial is concerned, out of 28 prosecution witnesses, only 09 witnesses have been examined and further it appears that the the applicant is in jail since 09.01.2025 and the case of the applicant is similar to that of co-accused, who has been granted bail by Hon'ble Supreme Court thus, without further commenting anything on merits, I am inclined to grant bail to the present applicant.

7. Accordingly, the bail application of the applicant is **allowed**.
8. Let applicant be released on bail on his furnishing **a personal bond** in sum of Rs.50,000/- with **one surety** in the like sum to the satisfaction of the Court concerned with 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.
9. The observation made herein above is for the purpose of deciding this bail application only and the trial Court shall decide the case on its own merits.
10. However, this Court hopes and trust that the trial Court shall make an earnest endeavour to conclude the trial in accordance with law as

expeditiously as possible, within a period of six months from the receipt of a certified copy of this order, if there is no legal impediment.

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

Sd/-

(Rakesh Mohan Pandey)

JUDGE

Anjani