



CGHC010407922026



2026:CGHC:44592

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9834 of 2026

- Murshid S/o Saiyyar Aged About 35 Years R/o Village Madina Colony Street No. 4 Lisadi Road, Meerut, Polie Station Lisadi Road District Meerut U. P.
... Applicant

versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Nagarnaar, District Bastar Chhattisgarh.
... Non-Applicant

For Applicant	:	Mr. Sachin Nidhi, Advocate
For State	:	Ms. Ankita Shukla, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

15.10.2026

1. This is the second bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 241/2025 registered at Police Station Nagarnaar, District Bastar (C.G.), for the offence punishable under Section 20(b)(ii)C of NDPS Act.
2. Earlier, first bail application i.e. MCRC No. 7453 of 2026 was rejected on merits vide order dated 13.08.2026.
3. The case of the prosecution, in brief, is that on 29.10.2025, on the basis of secret information, police of Police Station Nagarnar seized 46.375 kg of ganja concealed in a chamber made inside the back seat of a white Santro car

bearing registration No. UK-08-T-6189 at Dhanpunji Forest Naka. The contraband was allegedly found in possession of the present applicant and co-accused Mohd. Shoeb and Furkan Tyagi. Thereafter, Police has registered aforesaid offence against the present applicant and co-accused persons.

4. Learned counsel for the applicant submits that the applicant is innocent and has falsely been implicated in the present case. He would submit that vehicle from which the alleged contraband was seized belongs to co-accused Furkan Tyagi and no contraband was recovered from possession of the applicant. He would further submit that applicant has no criminal antecedent, charge-sheet has already been filed, and he is in jail since 29.10.2025. He would further submit that there is a discrepancy in weight of the seized contraband and procedure contemplated under Section 52A of NDPS Act was not conducted. He would also submit that non-compliance of provisions of the NDPS Act were not raised at the time of rejection of the first bail application. He would submit that present application may be allowed.
5. On the other hand, learned counsel for the State would oppose the bail application and submit that first bail application filed by the applicant was rejected on merits vide order dated 13.08.2026 in MCRC No. 7453 of 2026, and Special Leave to Appeal (Criminal) No. 16381/2026 preferred against the said order was also rejected by the Hon'ble Supreme Court vide order dated 09.09.2026. She would further submit that the applicant is involved in the illegal transportation of commercial quantity of ganja, therefore, he is not entitled for grant of regular bail in the present case.
6. I have heard learned counsel appearing for the parties and perused the case diary.

7. Having considered the facts and circumstances of the case, nature and gravity of allegation, and fact that 46.375 kg of ganja, which is above commercial quantity, was allegedly seized from a chamber made inside the back seat of the vehicle in which the applicant was travelling, coupled with the fact that earlier bail application was rejected on merits by this Court and Special Leave Petition preferred against the said order was also rejected by the Hon'ble Supreme Court. The contention raised by learned counsel for the applicant with regard to discrepancy in the weight of seized contraband and non-compliance of procedure prescribed under Section 52A of the NDPS Act are matters to be considered during trial. It is a well-settled principle of law that, while entertaining a bail application, the High Court cannot conduct a mini-trial or undertake a detailed examination of the evidence, therefore, I am not inclined to grant bail to the applicant.
8. Accordingly, the present bail application is hereby **rejected**.

Sd/-
(Rakesh Mohan Pandey)
JUDGE