NIRMALA
RAO

CGHC010336422026 2026:CGHC:43433

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8215 of 2026

1 - Rohit Dewangan S/o Vishwanath Dewangan Aged About 23 Years R/o Near Durga Mandir Khursipar Bhilai District- Durg (C.G.) (Details Of Applicant Properly Not Mentioned In Impugned Order Sheet And Correrct Details Is Being Mentioned)

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through Station House Officer, P.S. Purani Bhilai District- Durg (C.G.) (Details Of Non Applicant Properly Not Mentioned In Impugned Order Sheet And Correct Details Is Being Mentioned As Per F I R)

... Respondent(s)

For Applicant	:	Shri Avinash Chand Sahu, Advocate.
For Non-Applicant/State	:	Ms. Monika Thakur, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

7.10.2026

1) This is the first bail application filed under under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.317 of 2026 registered at Police Station Purani Bhilai, District Durg, Chhattisgarh for the offence punishable under Sections 20(b) & 27(a)

of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2) Case of the prosecution, in brief is that the police of Police Station Purani Bhilai, District Durg, Chhattisgarh received a secret information from the informant and on the said information conducted a raid and seized 5.578 kg of contraband Ganja from the possession of the applicant and another co-accused, thereafter, the aforesaid offence was registered against the applicant.

3) Learned counsel for the applicant that the applicant has falsely been implicated in this case. He further submits that from the possession of the applicant small quantity of Ganja was seized, and therefore, it will not attract the rigors of Section 37 of the NDPS Act as the commercial quantity of Ganja as prescribed under the schedule is more than 20 Kgs and from the possession of the applicant 5.578 kg of Ganja was seized. He would also submit that the applicant has no criminal antecedents and he is in jail since 16.6.2026 and conclusion of the trial is likely to take quite long time. Therefore, he prays for grant of regular bail to the applicant.

4) On the other hand, learned counsel appearing for the State/non-applicant would oppose the bail application and submit that the charge-sheet has been filed in the present case before the competent Court and also endorse the said submission that the applicant has no criminal antecedents. She further submits that from the possession of the present applicant 5.578 kg of Ganja was seized, therefore, the present applicant is not entitled for grant of bail.

5) I have heard learned counsel appearing for the parties and perused the case diary.

6) Taking into consideration the facts and circumstances of the case that the contraband article i.e. 5.578 kg of Ganja was recovered from the possession of the applicant, which is less than commercial quantity. Moreover, the present applicant has no criminal antecedents. Also considering the fact that charge-sheet has already been filed; he is in jail since 16.6.2026; and the conclusion of the trial may take some time, therefore, this Court is of the view that the applicant is entitled to be released on bail in this case.

7) It is directed that in the event of the applicant executing a personal bond for a sum of **Rs. 50,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, he shall be released on bail on the following conditions:-

(a) he shall make himself available for interrogation by the police officer as and when required;

(b) 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; and

(c) he shall not act in any manner which will be prejudicial to a fair and expeditious trial.

The observation made hereinabove is for the purpose of deciding this bail application only, the learned trial Court shall decide the case on its own merits.

Sd/-

(Rakesh Mohan Pandey)
Judge

Nimmi