CGHC010340102026 2026:CGHC:46213

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8200 of 2026

Kasim Ali S/o Shri Shoukat Ali, Aged About 27 Years R/o Butbalan Mohalla, Gali Pahadiya, Purani Tonk, District - Tonk (Rajasthan), (District Is Wrongly Mentioned In The Order Sheet As Rajasthan). **... Applicant**

NADIM MOHLE Digitally signed by NADIM MOHLE Date: 2026.11.02 16:21:30 +0530

versus

State Of Chhattisgarh Through Station House Officer, Police Station - Tikerapara, District - Raipur (C.G.). **... Non-Applicant**

For Applicant	:	Mr. Yogesh Chandra Pandey, Advocate
For Non-Applicant/State	:	Mrs. Smriti Shrivastava, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

02/11/2026

1. This is the first bail application filed 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. 442/2026 registered at Police Station Tikrapara, District Raipur (C.G.) for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Case of the prosecution, in brief, is that on 21.05.2026, Police Station Tikrapara received secret information from an informant alleging that the applicant, along with other co-accused persons, was engaged in the illicit sale of contraband *ganja*. Acting upon the said information, a raid was conducted and the police seized a total of 8.122 kg of contraband

ganja from the joint possession of the accused persons. Consequently, the offence was registered against the applicant and other co-accused. The applicant was arrested on 21.05.2026, and after completion of investigation, the charge-sheet has already been filed before the competent court.

3. Learned counsel for the applicant submits that the applicant is innocent and has falsely been implicated in the present crime. With regard to criminal antecedents, learned counsel submits that there are three criminal antecedents, first one registered against him in the year 2019 under Sections 307, 323, 341, 324 of the IPC and Section 4/25 of the Arms Act, wherein the applicant has already been acquitted by the learned trial Court; second one registered in the year 2020 under Sections 341, 323, 34 of the IPC, which has already been disposed of; and the third one registered in the year 2020 under Sections 341, 323, 302, 34 of the IPC and Section 4/25 of the Arms Act, wherein the applicant is not the main accused, has falsely been implicated due to family rivalry, and is already on bail. Learned counsel further submits that the applicant has no past criminal antecedent under the NDPS Act. The quantity of contraband alleged to have been recovered (8.122 kg) is an intermediate quantity. The applicant has been languishing in jail since 21.05.2026, the charge-sheet has already been filed, and conclusion of the trial is likely to take considerable time, therefore, the applicant may be enlarged on regular bail.

4. On the other hand, learned State counsel vehemently opposes the application for grant of regular bail, submitting that the applicant has past criminal antecedents involving serious offences and was caught in joint possession of contraband; hence, he is not entitled to be released on bail.

5. Heard learned counsel for the parties and perused the case diary.

6. Taking into consideration the totality of the facts and circumstances of the case, particularly considering the fact that the seized contraband (8.122 kg *ganja*) is of intermediate quantity, the applicant has no criminal antecedents under the NDPS Act, he is in custody since 21.05.2026, and the charge-sheet has already been filed, without expressing any opinion on the merits of the case, this Court is inclined to grant bail to the applicant. Accordingly, the bail application is **allowed**.

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 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,
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> **(ii)** he shall not act in any manner which will be prejudicial to fair and expeditious trial, and
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> **(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.

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

Sd/-

Rakesh Mohan Pandey
JUDGE

Nadim