NIRMALA RAO

CGHC010343922026 2026:CGHC:45298

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8614 of 2026

1 - Trinath Malik S/o Sadhu Malik Aged About 27 Years R/o Gram Girima P.S. Gop District- Puri, (Odisha)

2 - Satyabrat Mohani S/o Bhograj @ Mangraj Mohanti Aged About 25 Years R/o Gram Girima P.S. Gop District- Puri, (Odisha)

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through- Police Station City Kotwali, District- Raigarh (C.G.)

... Respondent(s)

For Applicant/s	:	Shri Vijay Ojha, Advocate holding the brief of Shri Ankit Singh, Advocate.
For Non-Applicant/State	:	Shri Jitendra Shrivastava, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

27.10.2026

Heard.

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 applicants, who have been arrested in connection with Crime No.443 of 2026 registered at Police Station City Kotwali, District

Raigarh, Chhattisgarh 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 the police of Police Station Basna, received a secret information from the informant and on the said information conducted a raid and seized 15.362 kg of contraband Ganja from the possession of the applicants and two other co-accused persons, thereafter, the aforesaid offence was registered against the applicants.

3) It has been argued by learned counsel for the applicants that the applicants have been falsely implicated in this case. He further submits that from the possession of the applicants 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 applicants 15.362 kg of Ganja was seized. It is further submitted by the learned counsel for the applicants that the applicants have no criminal antecedents and they are in jail since 18.8.2026 and conclusion of the trial is likely to take quite long time. Therefore, he prays for grant of regular bail to the applicants.

4) On the other hand, learned counsel appearing for the State/non-applicants 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 applicants have no criminal antecedents. He further submits that 15.362 kg of ganja was seized from the possession of the applicants. Therefore, the applicants are not entitled to the 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 15.362 kg of Ganja was recovered from the possession of the applicants, which is less than commercial quantity. Moreover, the present applicants have no criminal antecedents. Also considering the fact that the charge-sheet has been filed in the present case before the competent Court and the applicants are in jail since 18.8.2026, conclusion of the trial may take some time, therefore, this Court is of the view that the applicants are entitled to be released on bail in this case.

7) Accordingly, the bail application filed by applicants is allowed and it is directed that in the event of the applicants executing a personal bond for a sum of Rs.50,000/- with one surety each to the satisfaction of the concerned Trial Court, they shall be released on bail, on 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 them from disclosing such fact to the Court,
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> (ii) they shall not act in any manner which will be prejudicial to fair and expeditious trial, and
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> (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,
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> (iv) they shall not involve themselves in any offence of similar nature in future.

The observations made in the course of this order are only for considering the case of the applicants on the application for grant of

regular bail. The concerned trial Court shall not be influenced or bound by the observations made in the course of this order.

Sd/-
(Rakesh Mohan Pandey)
Judge

Nimmi