CGHC010354272026 2026:CGHC:44015

**NAFR**

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**MCRC No. 8879 of 2026**

Rajesh Dangi S/o Shri Premanarayan Dangi, Aged About 31 Years R/o Village Rajgarh, Thana Rajgarh, District Rajgarh, Madhya Pradesh

**... Applicant**

**versus**

State Of Chhattisgarh Through Station House Officer, Police Station Singhoda, District Mahasamund Chhattisgarh. **... Non-applicant**

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| **For Applicant** | **:** | Mr. Amrito Das, Senior Advocate with Mr. Yashkaran Singh, Advocate |
| **For Non-applicant** | **:** | Ms. Monika Thakur, Panel Lawyer |

**Hon'ble Shri Justice Rakesh Mohan Pandey**

**Order on Board**

**12/10/2026**

1. This is the first bail application filed by the applicant under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) for grant of regular bail. The applicant is in custody in connection with Crime No. 12/2026, registered at Police Station – Singhoda, District Mahasamund (C.G.), for offences punishable under Sections 20(b)(ii)(C) and 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, NDPS Act).

2. The case of the prosecution, in brief, is that the applicant was found driving a Hyundai Creta vehicle bearing registration No. MP13-ZL-0278, which was allegedly piloting/escorting another vehicle bearing

registration No. MP09-CF-4885. Upon interception, search, and seizure of the said escorted vehicle the police, 53 packets containing 38 kg of contraband *ganja* (cannabis) of ₹19 Lakhs were recovered. It is alleged that the applicant, acting in conspiracy with the co-accused persons, was actively facilitating the illicit transportation of the commercial quantity of the contraband.

3. Learned Senior counsel appearing for the applicant submits that the applicant is innocent and has falsely been implicated in the crime. It is submitted that no contraband was recovered from the physical possession of the applicant or from the vehicle driven by him. The joint seizure memo attributing possession to the applicant is improper, and there is no financial transaction or money trail connecting him with the consignment. It is further argued that procedural irregularities were committed during inventory preparation and sampling, and there are unexplained discrepancies and delay in dispatching the samples to the Forensic Science Laboratory (FSL). It is submitted that the applicant has no criminal antecedents, earns his livelihood by running a small tailoring shop, and has been in jail since 29.01.2026; thus, he may be enlarged on bail.

4. On the other hand, learned counsel appearing for the State vehemently opposes the bail application and submitted that the contraband seized is 38 kg, which falls well within the category of commercial quantity. It is contended that the applicant was actively escorting and piloting the vehicle ferrying the contraband as part of an organized syndicate, attracting the provisions of Section 29 of the NDPS Act. Learned State counsel further submits that in view of the bar contained under Section 37 of the NDPS Act, the applicant is not entitled to be released on bail.

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

6. The allegations against the applicant involve the transportation illicit 38 kg of *ganja*, which constitutes a commercial quantity under the NDPS Act. Section 37 of the NDPS Act mandates that in offences involving commercial quantities, bail cannot be granted unless the Court is satisfied that there are reasonable grounds for believing that the accused is not guilty of the offence and that he is not likely to commit any offence while on bail.

7. Considering the nature and gravity of the allegations, the role attributed to the applicant in escorting the carrier vehicle, and the statutory bar under Section 37 of the NDPS Act, this Court does not find it a fit case to enlarge the applicant on regular bail at this stage. Consequently, the bail application is hereby **rejected**.

**Sd/-**

**Rakesh Mohan Pandey**

**JUDGE**

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