CGHC010364052026 2026:CGHC:44198

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9166 of 2026

1 - Biranchi Garadia S/o Basudev Garadia Aged About 19 Years R/o Sikabandha, Panchayat, Paikdakulguda Thana Bissamcuttack District- Rayagada (Odisha)

REKHA SINGH Digitally signed by REKHA SINGH DN: cn=REKHA SINGH, ou=HIGH COURT OF CHHATTISGARH, st=Chhattisgarh, c=IN Date: 2026.10.13 10:01:04 +0530

2 - Lalit Kousalya S/o Sekhar Kousalya Aged About 22 Years R/o Budaguda Hada Panchayat, Paikdakulguda Thana Muniguda, District- Rayagada (Odisha)

... Applicants

versus

1 - State Of Chhattisgarh Through Station House Officer, P.S. Nagarnar, District- Bastar, (C.G.) --- **Non-applicant**

For Applicants	:	Mr. Bhupendra Singh, Advocate
For Non-applicant	:	Ms. Ritika Verma, PL

Hon'ble Shri Justice Rakesh Mohan Pandey

Order On Board

13.10.2026

1) The applicants have preferred this first bail application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as they have been arrested in connection with Crime No. 113/2026 registered at Police Station Nagarnar, District Bastar (C.G.) for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2) The prosecution case, in brief, is that on 21.07.2026, the police of Police Station Nagarnar recovered 11.673 kg of ganja from the joint possession of the applicants. Thereafter, the police registered an FIR

against the applicants and arrested them on the same day. Hence, the present bail application.

3) Learned counsel appearing for the applicants would submit that the applicants are innocent and have falsely been implicated in the present case. He would further submit that the seized contraband article, i.e., 11.673 kg of Ganja, is intermediate quantity (less than commercial quantity), hence the rigours of Section 37 of the NDPS Act do not apply in the case of the applicants. He would also submit that the charge-sheet has already been filed, the applicants have no criminal antecedents, they are in judicial custody since 21.07.2026, and the conclusion of the trial is likely to take considerable time; thus, the applicants may be enlarged on regular bail.

4) On the other hand, learned counsel appearing for the State/non-applicant would oppose the bail application and submit that intermediate quantity of contraband article was recovered from the joint possession of the applicants; thus, no case for grant of bail is made out. However, she admits that the charge-sheet has already been filed before the competent Court and the applicants have no prior criminal antecedents.

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

6) Taking into consideration the facts and circumstances of the case, particularly that the seized contraband article (11.673 kg of Ganja) is of intermediate quantity, which is below commercial quantity; further the applicants have no criminal antecedents, the charge-sheet has already been filed, the applicants are in judicial custody since 21.07.2026, and the conclusion of the trial is likely to take some time, this Court is

inclined to enlarge the applicants on regular bail. Accordingly, the bail application is **allowed**.

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

(ii) they shall not act in any manner which will be prejudicial to fair and expeditious trial, &

(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.

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

Sd/-

(Rakesh Mohan Pandey)
JUDGE

Rekha