CGHC010364362026 2026:CGHC:43806

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8847 of 2026

1 - Azim Khan S/o Akhtar Khan Aged About 27 Years R/o Sukma Ward No. 05, Patnampara, Police Station And District- Sukma Chhattisgarh

... Applicant

versus

1 - State Of Chhattisgarh Through The Station House Officer, Police Station Kanker, District- North Bastar Kanker (C.G.)

... Non-applicant

For Applicant	:	Mr. Syed Mohammad Sohail Afzal, Advocate
For Non-applicant /State	:	Ms. Ankita Shukla, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

09/10/2026

1. The applicant has preferred this first bail application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail as he has been arrested in connection with Crime No. 297/2026 registered at Police Station Kanker, District

North Bastar Kanker (C.G.) for the offence punishable under Section 20(B) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter, “NDPS Act”).

2. Case of the prosecution, in brief, is that on 27/08/2026, the police conducted search of a Hyundai Aster Car bearing Registration No. CG 08 BG 6871 whereby 20.235 kg of ganja was seized from the joint possession of co-accused persons Shubham Kailash Mandhare and Sameer Pilare. Memorandum statements of these two co-accused persons were recorded wherein they stated that they had purchased the alleged contraband from the present applicant and were transporting it to Desaiganj Wadsa for sale. On the basis of the said allegation, the aforesaid offence was registered against the present applicant.

3. Mr. Syed Mohammad Sohail Afzal, learned counsel appearing for the applicant, would submit that the applicant is innocent and has falsely been implicated in the present case. He would further submit that 20.235 kgs of ganja has been seized from the co-accused persons and there is no direct evidence to connect the applicant from the crime in question. He would also submit that the applicant has no previous criminal antecedent, charge-sheet has already been filed and the applicant has been in judicial custody since 05/09/2026, and since the conclusion of the trial is likely to take considerable time, the applicant may be enlarged on regular bail.

4. On the other hand, Ms. Ankita Shukla, learned counsel appearing for the non-applicant/State, would oppose the bail application and submit that though 20.235 kgs of contraband ganja has been seized from the joint possession of the co-accused persons Shubham Kailash Mandhare and Sameer Pilare but monetary transactions have been made between the present applicant and the co-accused persons whereby the co-accused persons have transferred a total sum of Rs. 1,05,000/- in different Bank accounts of the applicant which indicates that the present applicant actively participated in the commission of the said offence. Thus, she would pray for rejection of this bail application.

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 considering that seizure of 20.235 kgs of contraband ganja has been made from co-accused persons Shubham Kailash Mandhare and Sameer Pilare and the present applicant has been implicated on the basis of the memorandum statements of the co-accused persons; further considering that charge-sheet has already been filed; the applicant has no criminal antecedent; he is in judicial custody since 05/09/2026, and the conclusion of trial is likely to take some time, this Court is inclined to enlarge the applicant on regular bail. 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,

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

   (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.

8. 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

Harneet