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CGHC010364382026 2026:CGHC:44557

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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8730 of 2026

1 - Shibu Mund S/o Sumant Kumar Mund Aged About 27 Years R/o Village Banijara, Police Station And Tahsil Junagarh, Distt. Kalahandi Odisa

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through S H O, Police Station Komakhan, District Mahasamund Chhattisgarh

... Respondent(s)

For Applicant	:	Shri Divyansh Shukla, Advocate.
For Non-Applicant/State	:	Ms. Laxmin Kashyap, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

14.10.2026

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 applicant, who has been arrested in connection with Crime No.131 of 2026 registered at Police Station Komakhan, District Mahasamund, Chhattisgarh for the offence punishable under Section 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2) Case of the prosecution, in brief is that the police of Police Station Komakhan, District Mahasamund, Chhattisgarh received a secret information from the informant and on the said information conducted a raid and seized 8.290 kg of contraband Ganja from the possession of the applicant and thereafter, the aforesaid offence was registered against the applicant.

3) Learned counsel for the applicant that the applicant has falsely been implicated in this case. He further submits that from the possession of the applicant 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 applicant 8.290 kg of Ganja was seized. He would also submit that the applicant has no criminal antecedents and he is in jail since 25.8.2026 and conclusion of the trial is likely to take quite long time. Therefore, he prays for grant of regular bail to the applicant.

4) On the other hand, learned counsel appearing for the State/non-applicant would oppose the bail application and submit that from the possession of the present applicant 8.290 kg of Ganja was seized, therefore, the present applicant is not entitled for 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 the contraband article i.e. 8.290 kg of Ganja was recovered from the possession of the applicant, which is less than commercial quantity. Moreover, the present applicant has no criminal antecedents. Also

considering the fact that the applicant is in jail since 25.8.2026 and the conclusion of the trial may take some time, therefore, this Court is of the view that the applicant is entitled to be released on bail in this case.

7) Accordingly, the bail application filed by the applicant is allowed. 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 the following conditions:-

(a) he shall make himself available for interrogation by the police officer as and when required;

(b) 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; and

(c) he shall not act in any manner which will be prejudicial to a fair and expeditious trial.

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

Sd/-
(Rakesh Mohan Pandey)
Judge

Nimmi