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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9465 of 2026

*** -** Mantu @ Montu Sharma S/o Rameshwar Sharma, Aged About 40 Years R/o N - 14/361 Munshi Ram Colony, Near Water Tank, Mukherjee Nagar, West Delhi 110009. Presently R/o Near Radha Krishna Temple, Talwandi, P. S. Jawahar Nagar, District Kota (Rajasthan). (Presently Lodged In District Jail, Dhamtari (C.G.)

... Applicant

Versus

*** -** State Of Chhattisgarh Through Police Station Sihawa, District Dhamtari C.G.

... Non-Applicant

For Applicant	**:**	Mr. Shivam Agrawal, Advocate
For Non-Applicant	**:**	Mr. Vivek Sharma, Panel Lawyer

Hon’ble Shri Justice Rakesh Mohan Pandey
Order on Board

28/10/2026

1. The applicant has preferred this first bail application under Section 483 of Bharatiya Nagrik Suraksha Sanhita, 2023 as he is in jail since 24.05.2026 in connection with Crime No. 0041/2026 registered in Police Station – Sihawa, District Dhamtari (CG) for commission of offence punishable under Section 20(b) of NDPS Act, 1985.
2. Case of the prosecution, in brief, is that Assistant Sub-Inspector of Police of Police Station Sihawa, District Dhamtari (C.G.) seized 7.724 Kgs of contraband article i.e. *Ganja* from possession of present applicant, thereafter, aforesaid offence has been registered against him and he was arrested on 24.05.2026.

3. Learned counsel appearing for the applicant would contend that the applicant is innocent and he has been falsely implicated. He would submit that the applicant has no criminal antecedent in the State of Chhattisgarh. He would contend that from the possession of the applicant intermediate quantity of the psychotropic substance *Ganja* has been 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 only 7.724 Kgs *Ganja* has been seized. He would further submit that the applicant is languishing in jail since 24.05.2026 and charge-sheet has already been filed, therefore, he may be released on regular bail.

4. On the other hand, learned Panel Lawyer appearing for the State/non-applicant would oppose the bail application and submit that the charge-sheet has already been filed in the present case before the competent Court and also endorse the said submission that the applicant has no criminal antecedent in the State of Chhattisgarh. He would further submit that from the possession of the applicant contraband article *i.e.* 7.724 Kgs of *Ganja* was seized , therefore, the present applicant is not entitled for grant of bail.

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

6. Having considered the fact that there is no criminal antecedent of the present applicant in the State of Chhattisgarh; intermediate quantity of contraband seized from the possession of the present applicant, charge-sheet has already been filed and the applicant is in jail from 24.05.2026, therefore, without commending anything on the merits of

the case, I am inclined to grant regular bail to the present applicant. Accordingly, this bail application of the applicant 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 the 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/her from disclosing such fact to the Court;

    II. He shall not act in any manner which will be prejudicial to a fair and expeditious trial;

    III. He shall appear before the trial Court on each and every date given to him by the said Court till the disposal of the trial; and,

    IV. He shall not involve himself in any offence of a similar nature in future.

8. The observation made in the course of this order is only for considering the case of the applicant on the application for the grant of regular bail. The concerned trial Court shall not be influenced or bound by any observation made in the course of this order.

9. Certified copy as per rules.

Sd/-
(Rakesh Mohan Pandey)
Judge

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