NIRMALA
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CGHC010364762026 2026:CGHC:44556

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8846 of 2026

1 - Arjun Patle S/o Mahdulal Aged About 52 Years R/o Village Kosmi, Police Station And Tahsil Parasvada, Distt. Balaghat (M. P.) (Cause Tittle Rightly Mention)

2 - Himanshu Patle S/o Arjun Patle Aged About 19 Years R/o Village Kosmi, Police Station And Tahsil Parasvada, Distt. Balaghat (M. P.) (Cause Tittle Rightly Mention)

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through S H O, Police Station Komakhan, District Mahasamund, (C.G.)

... Respondent(s)

For Applicant/s : Shri Divyansh Shukla, Advocate.
For Non-Applicant/State : Ms. Smriti Shrivastava, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

14.10.2026

Heard.

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 applicants, who have been arrested in connection with Crime

No.136 of 2026 registered at Police Station Komakhan, District Mahasamund, Chhattisgarh for the offence punishable under Sections 20(b)(ii)(B) & 29 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 received a secret information from the informant and on the said information conducted a raid and seized 8.920 kg of contraband Ganja from the possession of the applicants, thereafter, the aforesaid offence was registered against the applicants.

3) It has been argued by learned counsel for the applicants that the applicants have been falsely implicated in this case. He further submits that from the possession of the applicants 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 applicants 8.920 kg of Ganja was seized. It is further submitted by the learned counsel for the applicants that the applicants have no criminal antecedents and they are in jail since 28.8.2026 and conclusion of the trial is likely to take quite long time. Therefore, he prays for grant of regular bail to the applicants.

4) On the other hand, learned counsel appearing for the State/non-applicants would oppose the bail application and submit that 8.920 kg of ganja was seized from the possession of the applicants. Therefore, the applicants are not entitled to the 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 8.920 kg of Ganja was recovered from the possession of the applicants, which is less than commercial quantity. Moreover, the present applicants have no criminal antecedents. Also considering the fact that the applicants are in jail since 28.8.2026, conclusion of the trial may take some time, therefore, this Court is of the view that the applicants are entitled to be released on bail in this case.

7) Accordingly, the bail application filed by applicants is allowed and it is directed that in the event of the applicants executing a personal bond for a sum of Rs.50,000/- with one surety each to the satisfaction of the concerned Trial Court, they shall be released on bail, on 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, and

(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,

(iv) they shall not involve themselves in any offence of similar nature in future.

The observations made in the course of this order are only for considering the case of the applicants on the application for grant of regular bail. The concerned trial Court shall not be influenced or bound by the observations made in the course of this order.

Sd/-
(Rakesh Mohan Pandey)
Judge

Nimmi