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CGHC010365152026 2026:CGHC:43278

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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8897 of 2026

1 - Gagan Manjhi @ Gupteshwar S/o Bhanu Manjhi (Correct Name Bhanu Pratap Singh Manjhi) Aged About 23 Years R/o Arikeshan Cowk Sirtul, Nayapada, Police Station Nayapada, District Nayapada, Odisha.

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through The S H O Police Station Deendayal Nagar District Raipur C. G.

... Respondent(s)

For Applicant/s	**:**	Mr. Pratik Modi, Advocate
For Non-Applicant	**:**	Mr. Sourabh Sahu, P.L.

Hon’ble Shri Justice Rakesh Mohan Pandey

Order on Board

06/10/2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) for grant of regular bail to the applicant in connection with the Crime No.515/2025, registered at Police Station Deendayal Nagar, District Raipur for the offences

punishable under Sections 20(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, NDPS Act).

2. The case of the prosecution, in brief, is that the police of Police Station Deendayal Nagar, Raipur, received secret information, conducted a raid, and seized 56 kilograms of Ganja from the possession of the applicant and co-accused – Raju Beria. Thereafter, the aforesaid offence was registered against the applicant.

3. Learned counsel for the applicant would submit that the applicant is innocent and has been falsely implicated in the case. He further submits that the applicant has been in jail since 1.11.2025, the charge-sheet has been filed, and there is no criminal history of a similar nature. Thus, he prays that the applicant may be enlarged on regular bail.

4. On the other hand, learned State counsel opposes the bail application and submits that 56 kilograms of Ganja was seized from the possession of the applicant and another co-accused, which falls within the definition of commercial quantity. He would submit that the application filed by the applicant deserves to be dismissed.

5. Heard learned counsel appearing for the parties and perused the case diary.

6. Considering the facts and circumstances of the case, the nature and gravity of the allegations, the recovery of commercial quantity of contraband, i.e., 56 kilograms of Ganja, from the applicant, and having regard to the stringent conditions under Section 37 of the NDPS Act, this Court is not satisfied that there are reasonable grounds for believing that the applicant is not guilty of such offence or that he is not likely to commit any offence while on bail. Though some of the

witnesses have been examined, it is a well-settled principle of law that the reliability or credibility of the evidence of witnesses cannot be assessed while considering a bail application. It is also well-settled that a mini-trial is not permissible at this stage. Consequently, this Court does not find it to be a fit case for grant of regular bail.

7. Accordingly, the first bail application filed by the applicant is hereby **rejected**.

Sd/-
Rakesh Mohan Pandey
JUDGE

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