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CGHC010367382026 2026:CGHC:43522

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8910 of 2026

1 - Meer Naushad Ali S/o Akbar Ali, Aged About 26 Years R/o House No. 416, Jawahar Nagar, Vasant Vihar, Near Hanuman Temple, Police Station - Vaishali Nagar, Durg District Durg C.G.

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through The Station House Officer, Police Station - Khursipar, District Durg (Chhattisgarh)

... Respondent(s)

For Applicant	:	Ms. Upasana Mehta, Advocate.
For Non-Applicant/State	:	Mr. Sourabh Sahu, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

7.10.2026

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.111 of 2026 registered at Police Station Khursipar, District Durg, Chhattisgarh for the offence punishable under Sections 8/21(B) and 27(A) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2) The case of the prosecution, in brief, is that the police of Police Station Khursipar, District Durg, Chhattisgarh, received secret information from the informant and, acting upon the said information, conducted a raid and seized 56.27 gms of Heroin (brown sugar) from the possession of the present applicant. Thereafter, the aforesaid offence was registered against the applicant.

3) Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. He further submits that a small quantity of 56.27 gms of Heroin (brown sugar) was seized from the possession of the present applicant. He would also submit that the applicant has only one criminal antecedent, being an offence registered under Section 36(f) of the Chhattisgarh Excise Act in the year 2022. He further submits that charge-sheet has been filed, he in jail since 29.3.2026 and the conclusion of the trial is likely to take considerable 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 the charge-sheet has been filed in the present case before the competent Court. He would also endorse the submission that the applicant has one criminal antecedent registered under Section 39(f) of the Excise Act. He further submits that 56.27 gms of Heroin (brown sugar) was seized from the possession of the present applicant; therefore, the present applicant is not entitled to 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, particularly the fact that the contraband article, i.e., 56.27 gms of Heroin (brown sugar), was recovered from the possession of the applicant, which is less than the commercial quantity, and further considering that the present applicant has one criminal antecedent registered under Section 36(f) of the Excise Act, as also the fact that the charge-sheet has already been filed, the applicant has been in jail since 29.3.2026, and the conclusion of the trial may take some time, this Court is of the view that the applicant is entitled to be released on bail in the present case.

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:-

(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