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**NAFR**

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**MCRC No. 9182 of 2026**

- Rajan Yadav S/o Tula Yadav Aged About 38 Years R/o Village Chaya Panchayat Bodhadih, Police Station Kunda, District Chatra, Jharkhand. (Currently Confined In Judicial Custody At District Jail, Ramanujganj, Chhattisgarh)

**... Applicant**

**versus**

- State Of Chhattisgarh Through The Police Station House Officer, P.S. Karoundha, District Balrampur-Ramanujganj (C.G.)

**... Non-applicant**

| | | |
|---|---|---|
| For Applicant | : | Mr. Pankaj Kumar, Advocate |
| For Non-applicant | : | Mr. Akash Agrawal, P.L. |

**Hon’ble Shri Justice Rakesh Mohan Pandey**

**Order On Board**

**13.10.2026**

**1)** The applicant has preferred this First Bail Application under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 04/2026, registered at Police Station Karoundha, District : Balrampur-Ramanujganj ( C.G.) for the offence punishable under Sections 8 and 18 of NDPS Act.

**2)** The case of the prosecution, in brief, is that on 12.03.2026, acting on information provided by an informant, the police authorities raided a field and seized 42,358 opium plants weighing a total of 1,883.76 kg from the joint possession of co-accused persons, namely Sahadur and Thuila Nageshiya. Thereafter, they were arrested in connection with the aforementioned offence, and during the course of the investigation, they implicated the present applicant and one Bhupendra. Subsequently, the applicant was arrested on 11.04.2026.

**3)** Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case solely on the basis of call detail records and suspicion of the police authorities. He further submits that although the applicant received 31 calls from the co-accused over the past seven months, the guilt of the applicant cannot be established merely on the basis of call detail records. He also submits that the charge-sheet has already been filed, the applicant has no prior criminal antecedents, and he has been languishing in jail since 11.04.2026. Since the conclusion of the trial is likely to take time, it is prayed that the instant bail application may kindly be allowed.

**4)** On the other hand, learned counsel appearing for the State/non-applicant opposes the bail application and submits that the contraband article, i.e., 1,883.76 kg of ganja, was seized from the joint possession of the co-accused persons, whose disclosure

implicating the present applicant clearly indicates his active involvement in the illegal cultivation of the said contraband. Therefore, the applicant is not entitled to the grant of regular bail.

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

**6)** It appears that contraband article i.e. 1,883.76 kg of ganja was recovered from the possession of the co-accused persons, namely Sahadur and Thuila Nageshiya, which is well above the commercial quantity. It is contended by Mr. Kumar that though the applicant received 31 calls from the co-accused over the past seven months, the guilt of the applicant cannot be established merely on the basis of call detail records.

**7)** A careful perusal of the case diary reveals that the co-accused persons stated that applicant and one Bhupendra, were the cultivators and suppliers of the said contraband. Furthermore, the call detail records disclose that the applicant received 31 calls from the co-accused over a span of the last seven months, and he returned their calls on 10 occasions.

**8)** It is a well-settled principle of law that while considering bail, the court's role is confined to verifying the existence of a *prima facie* case. Hence, the recovery of commercial quantity of contraband from the possession of the co-accused persons, who implicated the applicant and detailed his role, *prima facie* indicates his

involvement in the illegal transit of the said contraband, attracting the rigour of Section 37 of the NDPS Act to the present case.

**9)** Having considered the above-discussed facts, in my opinion, present is not a fit case to enlarge the applicant on regular bail at this stage. Accordingly, the instant bail application stands **dismissed**.

**Sd/-**
**(Rakesh Mohan Pandey)**
JUDGE

Ajinkya