CGHC010371942026 2026:CGHC:43526

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8895 of 2026

- Vikas Vishnoi, S/o Narayan Ram Vishnoi, Aged About 27 Years R/o Vill. Mathoda, P. S. Mathoda, District Jodhpur (Rajasthan)

... Applicant

versus

- State Of Chhattisgarh Through Station House Officer (S. H. O.) P. S. - Pulgon Chowki Jeora Sirsa, District Durg (C.G.)

... Non-Applicant

For Applicant : Mr. Vikas Kumar Pandey, Advocate
For State : Mr. Jitendra Shrivastava, Government Advocate

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

07.10.2026

1. This is the first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 247/2026 registered at Police Station Pulgaon, District Durg (C.G.), for the offence punishable under Section 8, 18, 29, 27(a) of NDPS Act.

2. Case of the prosecution, in brief, is that on 06.03.2026, secret information was received regarding illegal cultivation of opium poppy at agricultural land near Village Jhanjhari, within the jurisdiction of Police Station Pulgaon,

District Durg, where approximately 14,30,100 opium poppy plants, having total weight of 62,424.4 kg, were allegedly found. The applicant was subsequently arrested on 7.03.2026.

3. Learned counsel for the applicant would argue that alleged contraband 62,424.4 kg of opium was seized from possession of co-accused. He would contend that other co-accused namely Sukharam Vishnoi and Madrupa Ram Vishnoi have already been enlarged on bail by this Court in MCRC Nos. 3846 of 2026 and MCRC No. 4560 of 2026 vide order dated 31.07.2026. He would submit that charge-sheet has already been filed, applicant is in jail since 07.03.2026 and he has no criminal antecedents, therefore, instant bail application may be allowed.

4. On the other hand, learned counsel appearing for the State would oppose and submit that other co-accused persons were granted bail as from their possession small quantity of contraband was seized, and therefore, claim of parity is not made out. He would submit that instant application deserves to be rejected.

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

6. Having considered the fact that co-accused were granted bail in MCRC No. 3846 of 2026 and MCRC No. 4560 of 2026 as from their possession small quantity of opium was seized. Total 62,424.4 kg of opium was seized from accused Vikas Bishnoi, and as per case of prosecution, opium seeds were provided by the present applicant. At this stage, it cannot be presumed that

the present applicant was not involved in commission of crime at all. Further, the bar created under Section 37 of NDPS Act would also attract, therefore, I am not inclined to grant bail to the present applicant.

7. Accordingly, instant bail application is hereby **rejected**.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

Nadim