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CGHC010373162026 2026:CGHC:43641

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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8937 of 2026

1 - Kushal Singh S/o Shri Atul Pratap Singh Aged About 19 Years R/o Rajendra Nagar Urai, Jaloun (U.P.)

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through The Station House Officer Police Station Singhoda, District Mahasamund (C.G.)

... Respondent(s)

For Applicant/s	**:**	Mr. Shikhar Sharma, Advocate
For Non-Applicant	**:**	Mr. Laxmin Kashyap, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

08/10/2026

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.97/2025, registered at Police Station Singhoda, District Mahasamund for the offences punishable under Sections 20(b)(ii)(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 Singhoda, District Mahasamund, received secret information, conducted a raid, and seized 50 kilograms of Ganja from the possession of the applicant and co-accused Raghvendra Singh. Thereafter, the aforesaid offence was registered against the applicant.

3. Learned counsel for the applicant would submit that co-accused Raghvendra Singh has already been enlarged on bail by the Hon'ble Supreme Court in SLP (Crl.) No. 13986 of 2026 vide order dated 25.8.2026. He would submit that the bail application of the present applicant may be allowed on the ground of parity. It is further contended that the charge-sheet has already been filed in the present case and that the applicant has been in jail since 24.12.2025. Accordingly, 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 50 kilograms of Ganja was seized from the possession of the applicant and the co-accused, which falls within the definition of commercial quantity. He would submit that the bail application of the present applicant deserves to be dismissed.

5. Heard learned counsel appearing for the parties and perused the case diary, along with the order passed by the Hon'ble Supreme Court in the matter of *Raghvendra Singh v. State of Chhattisgarh*.

6. A perusal of the order reveals that co-accused Raghvendra Singh was enlarged on bail on the grounds that he was implicated in the case on the basis of the statement of the co-accused, that nothing had been recovered from his conscious possession, and that he had already undergone seven months of custody. In the present case, however,

50 kilograms of Ganja was allegedly recovered from the conscious possession of the applicant. Therefore, the case of the applicant is distinguishable from that of *Raghvendra Singh* (supra). Further, as the quantity of the contraband seized is a commercial quantity, the provisions of Section 37 of the NDPS Act would also apply.

7. Having considered the facts discussed above, I do not find any good ground to allow the bail application of the present applicant.

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

Sd/-
Rakesh Mohan Pandey
JUDGE

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