CGHC010373962026 2026:CGHC:44120

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9035 of 2026

Arjina Bibi W/o Aalem Nadaf Aged About 35 Years R/o Nadab Para, New Nagariya, Police Station New Nagariya, District- Malda, West Bangal Temporary R/o Near Hanuman Temple, Mahipalpur Pahadi, Delhi.

... Applicant

versus

State Of Chhattisgarh Through Police Station Nagarnar, District- Bastar, Chhattisgarh. **... Non-Applicant**

For Applicant	**:**	Mr. Ravi Kumar Bhagat, Advocate
For Non-Applicant/State	**:**	Ms. Laxmeen Kashyap, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

12/10/2026

1. This is the first bail application filed by the applicant under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) for grant of regular bail. The applicant is in custody in connection with Crime No. 28/2025, registered at Police Station – Nagarnar, District Bastar (C.G.), for the offence punishable under Section 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, NDPS Act).

2. The case of the prosecution, in brief, is that on 07.02.2025, acting upon secret information regarding illicit transportation of narcotics, the

police intercepted a car in which the applicant along with co-accused was traveling. Upon a search of the vehicle, 48 packets containing a total of 67.990 kg of contraband *ganja* (cannabis) concealed in secret chambers inside the car doors were recovered and seized from their joint possession.

3. Learned counsel appearing for the applicant submits that the applicant has falsely been implicated in the present case. It is submitted that no contraband was recovered from her personal possession, and she was merely traveling in the vehicle without any knowledge of the contraband concealed in secret chambers. It is further argued that she used to run a kitchen/catering work for laborers at Nagarnar to earn a livelihood for her family and children. It is also contended that during the trial certain prosecution witnesses have not supported the prosecution case and turned hostile. She has been in judicial custody since 07.02.2025, she may be enlarged on bail.

4. On the other hand, learned counsel appearing for the State vehemently opposes the bail application and submitted that 67.990 kg of contraband *ganja*, which is well above the commercial quantity, was recovered from the vehicle in which the applicant was traveling. Learned State counsel further submitted that the trial is already at an advanced stage, as most of the prosecution witnesses have already been examined and only a few witnesses remain. Further, in view of the statutory bar under Section 37 of the NDPS Act, applicant is not entitled to be released on bail.

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

6. In the present case, the quantity of contraband *ganja* seized from the vehicle in which the applicant was traveling is 67.990 kg, which is a commercial quantity, thereby attracting the stringent twin conditions under Section 37 of the NDPS Act. At this stage, there are no

reasonable grounds to satisfy this Court that the applicant is not guilty of the alleged offence. Further, the trial is already at an advanced stage with several prosecution witnesses having been examined.

7. Considering the commercial quantity involved, the statutory bar under Section 37 of the NDPS Act, and the advanced stage of the trial, this Court does not find it a fit case to grant regular bail to the applicant. Consequently, the bail application is hereby **rejected**.

Sd/-

Rakesh Mohan Pandey

JUDGE

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