NIRMALA RAO

CGHC010375442026 2026:CGHC:43728

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8982 of 2026

1 - Marshal Sanga S/o Mikhel Sanga Aged About 40 Years R/o Village Hadam Banam, Police Station Khunti, District- Khunti, Jharkhand, Present Address Village Amaghat, Police Station Tamnar, Distt- Raigarh (C.G.)

--- Petitioner(s)

versus

1 - State Of Chhattisgarh Through District Magistrate, Raigarh, Distt- Raigarh (C.G.)

--- Respondent(s)

For Applicant/s	**:**	Mr. Chandrabhushan Kesharwani, Advocate
For Non-Applicant	**:**	Mr. Dharmesh Shrivastava, Dy.A.G.

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.59/2026, registered at Police Station Tamnar, District Raigarh for the offences punishable

under Sections 8(b) & 18 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 Tamnar, Raigarh, received secret information, conducted a raid, and seized 2,877 kg of poppy plants and 3.020 kg of opium from the possession of the present applicant. Thereafter, the aforesaid offence was registered against the applicant.

3. Learned counsel for the applicant would submit that the applicant is innocent and has been falsely implicated in the case. He further submits that the applicant has been in jail since 20.3.2026, the charge-sheet has been filed, and there are no criminal antecedents. Thus, 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 2,877 kg of poppy plants and 3.020 kg of opium were seized from the possession of the applicant, which is above the commercial quantity. He would submit that the application filed by the applicant deserves to be dismissed.

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

6. Considering the facts and circumstances of the case, the nature and gravity of the allegations, the recovery of commercial quantity of contraband, i.e., 2,877 kg of poppy plants and 3.020 kg of opium, from the applicant, and having regard to the stringent conditions under Section 37 of the NDPS Act, this Court is not satisfied that there are reasonable grounds for believing that the applicant is not guilty of such offence or that he is not likely to commit any offence while on bail.

Consequently, this Court does not find it to be a fit case for grant of regular bail.

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

Sd/-
Rakesh Mohan Pandey
JUDGE

Nimmi