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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9129 of 2026

*** -** Chandresh Valecha S/o Shripal Valecha Aged About 29 Years R/o Ward No. 12, Chakarbhata, Police Station Chakarbhata, District Bilaspur Chhattisgarh (Surname Wrongly Typed As Balecha In Impugned Order)

... Applicant

Versus

*** -** State Of Chhattisgarh Through Police Station Chakarbhata, District Bilaspur, Chhattisgarh

... Non-Applicant

For Applicant	:	Mr. Manoj Paranjpe, Senior Advocate with Mr. Aditya Dhar Diwan, Advocate
For Non-Applicant	:	Mr. Jitendra Shrivastava, Government Advocate

Hon'ble Shri Justice Rakesh Mohan Pandey
Order on Board

13/10/2026

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. 310/2026 registered at Police Station – Chakarbhata, District Bilaspur (C.G.), for the offence punishable under Sections 21(C) & 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. As per prosecution story, in brief, is that on 19.05.2026, police of Police Station Chakarbhata, District Bilaspur received an information and on the basis of the secret information conducted a

raid and seized prohibited drug MDMA [MDMA, Ecstacy (+)-N, alpha-dimethyl-3-4 (methylene-dioxy phenethylamine)] 14.62 grams worth Rs.1,50,000/- from exclusive possession of the present applicant and 11.43 grams drug MDMA worth Rs.1,15,000/-, mobile phone, cash and one white S-Cross Car bearing No. CG 28 L 8130 from the possession of co-accused namely Mahesh Verma and accordingly the aforesaid offences were registered against the present applicant & 02 other accused. In the present case, there are total 03 accused persons, but 01 accused person is still absconding.

3. Learned Senior Advocate appearing for the applicant would submit that present applicant has falsely been implicated in this case. He would contend that mandatory provisions relating to seizure of narcotic drugs provided in the NDPS Act were not followed. He would further submit that the applicant is in jail since 19.05.2026, charge-sheet has already been filed and conclusion of the trial may take some time, therefore, this bail application may be allowed.

4. On the other hand, learned State counsel would oppose submission advanced by learned Senior Advocate. He would contend that from possession of the present applicant, 14.62 grams of prohibited drug MDMA was recovered which is much above a commercial quantity. He would contend that stringent condition contained in Section 37 of NDPS would attract in the present case, therefore, the applicant is not entitled for grant of bail.

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

6. 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.

7. Having considered the fact that 14.62 grams of prohibited drug MDMA was recovered from conscious possession of the applicant which is much above commercial quantity and the applicant failed to give any explanation for such possession, further the rigors of Section 37 of NDPS Act, therefore, present is not a case of false implication. Accordingly, the bail application of the applicant is **rejected.**

Sd/-
(Rakesh Mohan Pandey)
Judge

vatti