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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9086 of 2026

*** -** Mohd. Anish S/o Yusuf Aged About 52 Years R/o Sanjay Nagar, Madani Chowk, Police Station Tikrapara District- Raipur (C.G.)

... Applicant

Versus

*** -** State Of Chhattisgarh Through Station House Officer, Police Station Tikrapara District- Raipur (C.G.)

... Non-Applicant

For Applicant	:	Mr. C.R. Sahu, Advocate
For Non-Applicant	:	Ms. Ritika Verma, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey
Order on Board

12/10/2026

1. The applicant has preferred this second bail application under Section 483 of Bharatiya Nagrik Suraksha Sanhita, 2023 as he is in jail since 04.05.2026 in connection with Crime No. 389/2026 registered in Police Station – Tikrapara, District Raipur (CG) for commission of offence punishable under Section 22(b) of the NDPS Act.
2. Earlier bail application of the applicant was rejected on merits by the coordinate bench of this Court vide order dated 28.07.2026 in MCRC No. 6794/2026.
3. The prosecution story, in brief, is that the Police Station Tikrapara, Raipur, received secret information from an informant that certain unknown persons were illegally possessing banned medicines for the

purpose of sale. Acting upon the said information, the police conducted a search and allegedly seized 14 grams of NRX Nitrazepam Tablets IP (Nitrotion) from the possession of the present applicant at an open place. Consequently, the police registered an ofence punishable under Section 22(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 against the accused persons. Thereafter, solely on the basis of the memorandum statement of a co-accused, the present applicant was arrested on 04.05.2026.

4. Learned counsel for the applicant would contend that the applicant is innocent and he has been falsely implicated. He would fairly submit that the applicant has 01 criminal antecedent of similar nature, he is languishing in jail since 04.05.2026 and charge-sheet has already been filed. He would further contend that co-accused- Kapil Tiwari has been enlarged on regular bail by the Court below vide order dated 11.09.2026 passed in Special Criminal Case No. 159/2026. He has filed the copy of bail order of co-accused along with covering memo dated 25.09.2026. Thus, he would pray for grant of bail to the present applicant.

5. On the other hand, learned State counsel would oppose the bail application of present applicant. She submits that the applicant has 01 criminal antecedent, which shows that he is a habitual offender, therefore, the bail application of the present applicant deserves to be rejected.

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

7. Taking into consideration the facts and circumstances of the case, the applicant has only 01 criminal antecedent, charge-sheet has already

been filed and he is in jail from 04.05.2026, further the co-accused namely Kapil Tiwari has already been enlarged on bail by the learned Court below, I am inclined to grant regular bail to the present applicant. Accordingly, the instant bail application of the applicant is **allowed**.

8. It is directed that in the event of the applicant executing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the concerned Trial Court, he shall be released on bail on the following conditions:-

    I. He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such fact to the Court;

    II. He shall not act in any manner which will be prejudicial to a fair and expeditious trial;

    III. He shall appear before the trial Court on each and every date given to him by the said Court till the disposal of the trial; and,

    IV. He shall not involve himself in any offence of a similar nature in future.

9. The observation made in the course of this order is only for considering the case of the applicant on the application for the grant of regular bail. The concerned trial Court shall not be influenced or bound by any observation made in the course of this order.

10. Certified copy as per rules.

Sd/-
(Rakesh Mohan Pandey)
Judge

vatti