CGHC010382772026 2026:CGHC:44258

**NAFR**

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**MCRC No. 9149 of 2026**

**1 -** Ashok Dandariya S/o Pappu Baldev Dandariya Aged About 33 Years R/o Nawadha, Chowk Ganganagar Jharsugda (Odisha)

**… Applicant**

**versus**

**1 -** State Of Chhattisgarh Through- P.S. Chakradhar Nagar Raigarh District Raigarh Chhattisgarh.

**... Non-applicant**

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| For Applicant | : | Mr. Ashish Gupta, Advocate |
| For Non-applicant /State | : | Ms. Ritika Verma, P.L. |

**Hon'ble Shri Justice Rakesh Mohan Pandey**

**Order on Board**

**13/10/2026**

1. The applicant has preferred this first bail application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail as he has been arrested in connection with Crime No. 276/2026 registered at Police Station Chakradhar

Nagar, District Raigarh (C.G.) for the offence punishable under Sections 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter, “NDPS Act”).

2. The case of the prosecution, in brief, is that on receiving information regarding the transportation of intoxicant injections from Odisha to Raigarh, the police of Police Station Chakradhar Nagar proceeded to Panjriplant Marine Drive, near the Employment Office, where co-accused Manish Dandariya was found sitting with a bag. Upon search, 98 ampoules of NRx Pentazocine Lactate Injection, packed in 10 boxes, were allegedly recovered from his possession. During the course of investigation, the memorandum statement of the said co-accused was recorded, on the basis of which the present applicant, Ashok Dandariya, was implicated in the crime. .

3. Mr. Ashish Gupta, learned counsel for the applicant, would submit that the applicant is innocent and has been falsely implicated in the crime in question as no contraband substance has been seized from his possession, nor was he present at the spot when the alleged recovery was made. It is further submitted that the applicant has been implicated solely on the basis of the memorandum statement of the co-accused. Learned counsel also submits that the alleged quantity of the substance, calculated on the basis of the weight of the active ingredient, is only 2.94 grams, which is less than small quantity. It is further contended that the

co-accused Manish Dandariya has already been granted bail by this Court vide order dated 16.09.2026 passed in M.Cr.C. No. 7632/2026. The applicant is in custody since 02.07.2026, the charge-sheet has been filed, and the trial is likely to take considerable time for its conclusion. On these grounds, learned counsel prays that the applicant be released on regular bail.

4. Per contra, Ms. Ritika Verma, learned State counsel, opposes the bail application and submits that the allegations against the present applicant relate to the transportation and distribution of psychotropic substances. It is further pointed out that the applicant has two criminal antecedents, namely, Crime No. 416/2025 registered at Police Station Chakradhar Nagar for offences punishable under Sections 22 and 29 of the NDPS Act and Section 111 of BNS and Crime No. 472/2025 registered at Police Station City Kotwali for offences punishable under Sections 22 and 29 of the NDPS Act. Both cases are stated to be pending. Learned State counsel points out that the memorandum statement and the material collected during the investigation prima facie establish the applicant’s active role in an organized illicit drug-trafficking syndicate; thus looking to the statutory bar under Section 37 of the NDPS Act, they are not entitled to grant of regular bail.

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

6. Having regard to the allegations levelled against the present applicant, the prosecution case prima facie indicates the alleged transportation of psychotropic substances and the active role of the applicant in an organized illicit drug-trafficking syndicate. Though no contraband substance is stated to have been seized directly from the possession of the present applicant, his alleged involvement is sought to be established through the material collected during investigation, including the memorandum statement of the co-accused. The evidentiary value and admissibility of such material are matters to be examined during the course of trial; however, at this stage, the prosecution allegations cannot be considered in isolation from the other circumstances of the case. A further relevant consideration is that the applicant is stated to be involved in two other criminal cases registered under the NDPS Act, both of which are pending adjudication, as such, it appears that the applicant is a habitual offender.

7. Thus, having considered the facts and circumstances of the case, the material available on record, the nature and gravity of the offence particularly considering the active role attributed to the applicant in commission of the crime in question and further considering that there are two live criminal antecedents of the applicant and that too, of similar nature, which shows that applicant is a habitual offender, without expressing any opinion on the merits of the case, this Court is of the considered view that the

applicant has not made out a case for grant of regular bail.

8. Accordingly, the bail application filed by the applicant – **Ashok Dandariya** who has been arrested in connection with Crime No. 276/2026 registered at Police Station Chakradhar Nagar, District Raigarh (C.G.) for the offence punishable under Sections 22 and 29 of the NDPS Act is hereby **rejected**.

**Sd/-**

(Rakesh Mohan Pandey)

**JUDGE**

Harneet