



CGHC010383352026 2026:CGHC:45583

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9466 of 2026

1 - Jagbandhu Sonani @ Jatin S/o Trinath Sonani Aged About 30 Years At Ward No. 6 Near Government School P.S. Kesinga, Distt- Kalahandi Odisha

... Applicant

versus

1 - State Of Chhattisgarh Through S H O, P.S. Kabir Nagar, Distt- Raipur (C.G.)

... Non-applicant

For Applicant	:	Mr. Lukesh Kumar Mishra, Advocate
For Non-applicant /State	:	Ms. Sameeksha Gupta, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

28/10/2026

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. 60/2026 registered at Police Station Kabir Nagar, District Raipur (C.G.) for the offence punishable under Section 20C of the NDPS Act.

2. Case of the prosecution, in brief, is that on 03/03/2026, police apprehended co-accused Avinash Agrahari and seized a total quantity of 28.621 kgs of ganja from him. Thereafter, his memorandum statement was recorded wherein he disclosed that the said contraband was purchased from the present applicant who is a resident of Odisha. On that basis, police registered the aforesaid offence against the present applicant.

3. Mr. Lukesh Kumar Mishra, learned counsel appearing for the applicant, would argue that the contraband was seized from the exclusive possession of co-accused Avinash Agrahari and the present applicant was not even present at the place of the incident. The name of the present applicant surfaced in the memorandum statement of the co-accused and apart from that, there is no material connecting the present applicant with the offence in question. He would further contend that the charge-sheet has already been filed, the applicant has no criminal antecedents, the applicant has been in judicial custody since 24/03/2026 and since the conclusion of the trial is likely to take considerable time, the applicant may be enlarged on regular bail.

4. On the other hand, Ms. Sameeksha Gupta, learned counsel appearing for the non-applicant/State, would oppose the bail application and submit that 28.621 kgs of contraband ganja was seized from the co-accused Avinash Agrahari which is above commercial quantity and thus, the rigours of Section 37 of the NDPS Act would attract. She would pray for rejection of bail application.

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

6. Having considered the fact that recovery of contraband was made from the exclusive possession of co-accused Avinash Agrahari and except for his memorandum statement, there is no material to connect the applicant with the offence and further considering that charge-sheet has already been filed, the applicant has no criminal antecedent, he is in judicial custody since 23/03/2026, and the conclusion of the trial is likely to take some time, without commenting on the merits of the matter, this Court is inclined to enlarge the applicant on regular bail. Accordingly, the bail application is **allowed**.

7. 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 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 from disclosing such fact to the Court,

(ii) he shall not act in any manner which will be prejudicial to fair and expeditious trial, and

(iii) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

8. The observation made hereinabove is for the purpose of deciding this bail application only, the trial Court shall decide the case on its own merits.

Sd/-

(Rakesh Mohan Pandey)

JUDGE

Harneet