CGHC010383572026 2026:CGHC:45397

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9170 of 2026

Arun Sahu S/o Narottam Sahu Aged About 43 Years Resident Of Village- Borumunda, P.S.- Bisimunda, P.S.- Sonepur, District- Subranpur (Odisha)

... Applicant

Versus

State Of Chhattisgarh Through- Station House Officer, Police Station- Basantpur, District- Rajnandgaon (C.G.)

... Respondent(s)

For Applicants	:	Mr. Amit Singh Chauhan, Advocate
For Non-Applicant	:	Mr. Sourabh Sahu, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

27.10.2026

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. 148 of 2026 registered at Police Station: Basantpur, District:

Rajnandgaon (C.G.) for the offence punishable under Sections 20 (b) of NDPS Act.

2. That, as per the prosecution story, in brief, on 03.04.2026, the police of Police Station Basantpur received secret information from an informant regarding the transportation of cannabis. Acting upon the said information, the police personnel conducted a raid at Muddakunj, G.E. Road, Rajnandgaon, and interrogated the suspected persons, namely, Shivkumar Rai, Shalik Ram, and Smt. Pushpa Burman. Upon search, a total quantity of 9.414 kg of cannabis was recovered from them. The said accused persons were arrested, and their memorandum statements were recorded, wherein they disclosed that they had purchased the cannabis from one Arun Sahu of the State of Odisha. On the basis of the said memorandum statements, the concerned police personnel went to arrest the present applicant on 16.05.2026. However, as the applicant was not present at his residence, he could not be arrested.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. It is submitted that the alleged contraband, i.e., 9.414 kg of cannabis, was recovered from the possession of co-accused persons, namely, Shivkumar Rai, Shalik Ram and Smt. Pushpa Burman, and no contraband was recovered from the possession of the present applicant. It is further submitted that the name of the applicant has been disclosed solely on the basis of the

memorandum statements of the co-accused persons, and no independent incriminating material has been brought on record to establish the alleged involvement of the applicant in the commission of the offence. It is further submitted that the applicant has not been arrested in the present case and is ready and willing to cooperate with the investigation and abide by all the conditions imposed by this Hon'ble Court. The applicant is a permanent resident of the address mentioned in the application and there is no likelihood of his absconding or tampering with the prosecution evidence. Therefore, considering the facts and circumstances of the case, the applicant deserves to be enlarged on bail.

4. Per contra, learned State counsel opposes the bail application and submits that the applicant has criminal antecedents, as one criminal case has been registered against him in the same year, i.e., 2026. It is further submitted that the allegations levelled against the applicant are serious in nature and relate to the transportation and supply of cannabis. Therefore, considering the nature and gravity of the allegations and the criminal antecedents of the applicant, the applicant does not deserve to be enlarged on bail, and the bail application is liable to be rejected.

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

6. Having considered the submissions advanced by learned counsel for the applicant and learned State counsel, the facts and

circumstances of the case, the nature and gravity of the allegations, and the criminal antecedents of the applicant, it appears that another criminal case was registered against the applicant in the same year, i.e., 2026. Considering the criminal antecedents of the applicant and the overall facts and circumstances of the case, this Court is not inclined to enlarge the applicant on bail.

7. Accordingly, the bail application is rejected.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

Saurabh