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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9331 of 2026

Deepu Rajput S/o Virendra Singh Rajput Aged About 29 Years R/o Orai, Police Station Orai, Distt- Jalaun (U.P.)

... Applicant(s)

versus

KUNAL DEWANGAN

Digitally signed by KUNAL DEWANGAN

State Of Chhattisgarh Through Police Statoin Singhoda, Distt- Mahasamund (C.G.)

... Non-Applicant(s)

For Applicant	:	Mr. Dhirendra Prasad Mishra, Advocate.
For Non-Applicant/State	:	Mr. K.S. Saini, Dy. Govt. Advocate.

Hon'ble Mr. Rakesh Mohan Pandey, Judge

Order on Board

05/10/2026

1. This is the Second 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. 97/2025, registered at Police Station Singhoda, District Mahasamund (C.G.), for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Earlier the first bail application of the applicant was rejected by a

Co-ordinate Bench of this Court in MCRC No. 4021/2026 vide order dated 01.07.2026 on merits. Hence, the second bail application.

3. The prosecution case, in brief, is that the police of Police Station Singhoda received secret information regarding transportation of contraband ganja in a silver-coloured Tata Zest car bearing registration No. UP 92 51313 coming from Odisha. Acting upon the said information, the vehicle was intercepted and its driver, co-accused Kushal Singh, was apprehended. On search of the vehicle, 50 kilograms of moist ganja was allegedly recovered from two plastic sacks. During investigation, on the basis of the memorandum statements of co-accused Kushal Singh and thereafter co-accused Raghvendra Rajput, the name of the present applicant surfaced as one of the persons involved in procurement and delivery of the seized contraband. Accordingly, the present applicant was implicated in the aforesaid offence.

4. Learned counsel for the applicant would submit that the first bail application of the applicant was rejected by a Co-ordinate Bench of this Court in MCRC No. 4021/2026 vide order dated 01.07.2026 on merits. He would further submit that the new ground for filing of the present second bail application is that the applicant has been implicated only on the basis of the memorandum statement of co-accused and no contraband article, i.e. cannabis, has been seized from his possession. He would further submit that co-accused Raghvendra Singh has been enlarged on bail by the Hon’ble Supreme Court in Special Leave Petition (Crl.) No. 13986/2026

vide order dated 25.08.2026 therefore, the applicant is entitled to the benefit of parity. He would also submit that the applicant has only one criminal antecedent of similar nature, which has already been disclosed in Part-D of the bail application. Therefore, he prays for grant of bail.

5. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that co-accused Raghvendra Singh has been granted bail by the Hon'ble Supreme Court in Special Leave Petition (Crl.) No. 13986/2026 vide order dated 25.08.2026, however, the said co-accused had no criminal antecedents, whereas the present applicant has one criminal antecedent of similar nature, which is still pending. He would further submit that the quantity of contraband involved in the present case is 50 kilograms of ganja, which is much above the commercial quantity. He would also submit that the first bail application of the present applicant has already been rejected by a Co-ordinate Bench of this Court vide order dated 01.07.2026 and no substantial change in circumstance, warranting reconsideration of the prayer for bail, has been demonstrated. Accordingly, he submits that the applicant is not entitled to be released on bail.

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

7. Considering the overall facts and circumstances of the case, nature and gravity of the offence alleged against the applicant, the fact that 50 kilograms of ganja, which is much above the commercial

quantity, was allegedly recovered in the present case and further considering that the first bail application of the applicant was rejected by a Co-ordinate Bench of this Court in MCRC No. 4021/2026 vide order dated 01.07.2026, this Court finds no substantial change in circumstance warranting a different view.

8. So far as the ground of parity is concerned, although co-accused Raghvendra Singh has been enlarged on bail by the Hon'ble Supreme Court in Special Leave Petition (Crl.) No. 13986/2026 vide order dated 25.08.2026 but the case of the present applicant is distinguishable, particularly in view of the fact that the said co-accused had no criminal antecedents, whereas the present applicant has one criminal antecedent of similar nature which is still pending. Therefore, the applicant cannot claim parity with the said co-accused. Having regard to the quantity of contraband involved in the present case and the criminal antecedent of the applicant and the rejection of his earlier bail application by a Co-ordinate Bench of this Court, this Court is not inclined to grant bail to the applicant.

9. Accordingly, the bail application of the applicant involved in Crime No. 97/2025, registered at Police Station Singhoda, District Mahasamund (C.G.), for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985., is **rejected**.

Sd/-
(Rakesh Mohan Pandey)
Judge

Kunal