CGHC010389272026 2026:CGHC:46711

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9577 of 2026

Vijay Singh S/o Avatar Singh Aged About 26 Years R/o H S C L Colony, Near Telha Nala Shahed Veer Narayan Singh Ward Khursipaar, Bhilai District Durg (C.G.). **... Applicant**

versus

State of Chhattisgarh Through Station House Officer, Khursipaar, Bhilai Durg (C.G.). **... Non-Applicant**

For Applicant	**:** Mr. Anurag Jha, Advocate
For Non-Applicant/State	**:** Mr. Vivek Sharma, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

04/11/2026

1. This is the First Bail Application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 111/2026, registered at Police Station Khursipar, Bhilai, District Durg (C.G.), for offences punishable under Sections 8, 21(b), and 27(a) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. The case of the prosecution, in brief, is that acting upon secret information, the police team conducted a raid near the Sulabh Washroom and apprehended three persons, namely Vijay Singh, Meer Naushad, and the present applicant Surendra Chatriya, who were allegedly consuming heroin. Upon search, contraband heroin was

recovered from their individual possessions: 20.18 grams from Vijay Singh, 13.13 grams from Meer Naushad, and 9.83 grams from the present applicant Surendra Chatriya. The contraband was seized, and the applicant was arrested on 29.03.2026.

3. Learned counsel for the applicant submits that the applicant is innocent and has falsely been implicated in the case. It is submitted that the quantity of contraband allegedly seized from the exclusive possession of the applicant is 20.18 grams, which falls within the category of intermediate quantity, and therefore the stringent bar under Section 37 of the NDPS Act does not apply in this case. He further contends that co-accused Meer Naushad Ali has already been enlarged on regular bail by this Court vide order dated 07.10.2026 passed in M.Cr.C. No. 8910 of 2026; thus, the present applicant is entitled to parity. It is submitted that the applicant has only one criminal antecedent, which is under the Bharatiya Nyaya Sanhita and not under the NDPS Act. The investigation has already culminated in the filing of the charge-sheet, the applicant has been in judicial custody since 29.03.2026, and the trial is likely to take considerable time to conclude; thus, he prays that the applicant may be released on bail.

4. On the other hand, learned counsel appearing for the State opposes the bail application and submitted that the applicant was apprehended at the spot while consuming and possessing contraband heroin along with other co-accused persons. However, he does not dispute that the quantity recovered from the applicant is intermediate quantity; co-accused Meer Naushad Ali has been granted bail vide order dated 07.10.2026 in M.Cr.C. No. 8910/2026, and that the charge-sheet has already been filed before the competent court.

5. Heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case, particularly the fact that the quantity of heroin recovered from the applicant's possession is 20.18 grams, which is an intermediate quantity, and therefore the statutory rigour of Section 37 of the NDPS Act is not attracted; similarly placed co-accused Meer Naushad Ali has already been granted regular bail by this Court vide order dated 07.10.2026 in M.Cr.C. No. 8910 of 2026; the applicant has no criminal antecedents under the NDPS Act; and the investigation is complete, the charge-sheet has been filed, and the applicant is in jail since 29.03.2026; this Court is inclined to release the applicant on regular bail. Accordingly, the 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

Nadim