CGHC010390192026 2026:CGHC:45506

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9380 of 2026

Sunny Yadav Urf Sunny Dewar S/o Raju Dewar Aged About 32 Years Old Fish Market, Dewar Mohalla, Khurshipar District Durg (Chhattisgarh) **... Applicant**

NADIM MOHLE Digitally signed by NADIM MOHLE Date: 2026.10.29 11:06:39 +0530

versus

State Of Chhattisgarh Through Station House Officer, P.S. Khurseepar District - Durg (C.G.). **... Non-Applicant**

For Applicant	**:**	Mr. Aman Tamrakar, Advocate
For Non-Applicant	**:**	Ms. Monika Thakur, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

28/10/2026

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 is in custody in connection with Crime No. 180/2026 registered at Police Station Khursipar, District Durg (C.G.), for the offence punishable under Sections 20(b) and 27(a) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Case of the prosecution, in brief, is that on receiving secret information, the police conducted a raid at the house of the applicant and allegedly seized 10.780 kg of contraband (Ganja) along with cash ₹1,480/- from the possession/house of the applicant. On the basis of the said

recovery, the aforesaid offence has been registered against the applicant.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. It is submitted that the quantity of contraband alleged to have been recovered from the applicant is 10.780 kg, which is an intermediate quantity, below the commercial quantity of 20 kg, and therefore the stringent bar under Section 37 of the NDPS Act is not attracted. He further submits that the applicant has no criminal antecedents, the investigation has been completed and the charge-sheet has already been filed, and the applicant is languishing in jail since 19.05.2026. The conclusion of the trial is likely to take some time, hence, it is prayed that the applicant may be enlarged on regular bail.

4. On the other hand, learned counsel appearing for the State opposes the bail application and submits that contraband Ganja has been seized from the possession of the applicant, therefore, he does not deserve to be released on bail. However, she does not dispute the fact that the applicant has no prior criminal antecedents and that the seized quantity is an intermediate quantity.

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

6. Taking into consideration the facts and circumstances of the case, particularly considering the fact that quantity of contraband seized (10.780 kg) is intermediate quantity, the applicant has no criminal antecedents of similar nature, charge-sheet has already been filed, the applicant is in custody since 19.05.2026, and that the trial is likely to take considerable time for its conclusion, without commenting anything on the merits of the case, this Court is of the opinion that it is a fit case to release 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

Nadim