CGHC010391962026 2026:CGHC:45799

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9632 of 2026

1 - Virendra Kuchchhabandhiya Son Of Late Vikas Kuchchhabandhiya, Aged About 32 Years Resident Of Tanki Mohalla Ward No. 01 Harda, P.S. District, Tahsil Harda Madhya Pradesh.

… Applicant

versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station Keshkal District Kondagaon Chhattisgarh.

... Non-applicant

For Applicant	:	Mr. Kulesh Kumar Sahu, Advocate
For Non-applicant /State	:	Ms. Ritika Verma, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

29/10/2026

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. 87/2024 registered at Police Station Keshkal, District Kondagaon (C.G.) for the offence punishable under Section 20(b)

(ii)(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter, “NDPS Act”).

2. Case of the prosecution, in brief is that on the basis of information given by the informer, police of Police Station Keshkal intercepted a vehicle and seized 22.380 kg of Ganja from the possession of applicant and co-accused person. Subsequently, applicant was arrested.

3. Learned counsel for the applicant submits that applicant has no criminal antecedent and he is languishing in jail since 30.06.2024 whereas the trial is progressing at slow pace as only 01 witness out of total 18 witnesses have been examined till date. He prays to allow this bail application.

4. On the other hand, learned counsel appearing for the State/non-applicant opposes the bail application and submits that commercial quantity of contraband article ie. 22.380 Kg of Ganja was seized from the possession of present applicant, therefore, he is not entitled for grant of regular bail.

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

6. It appears that contraband article i.e. 22.380 kg of Ganja was recovered from the joint possession of the present applicant and the co-accused person, which is well above the commercial quantity. However, it is right of the applicant to have a speedy trial as enshrined under Article 21 of the Constitution and he is languishing in jail since 30.06.2024. Furthermore, there are no previous criminal antecedent against the applicant and only 01

witness out of total 18 witnesses has been examined till date and conclusion of the trial may take some time. Therefore, this Court is of the view that the applicant is entitled to be released on bail at this stage. Accordingly, this 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