CGHC010392742026 2026:CGHC:45504

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9415 of 2026

Ashok Shriwas S/o Khorbahra, Aged About 34 Years Residnet Of Village Aamakhoha, Police Station Kasdol, District Balodabazar Bhatapara C.G.

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... Applicant

versus

State Of Chhattisgarh Through The Station House Officer Police Station Bhatgaon District Sarangarh Bilaigarh, C.G. **... Non-Applicant**

For Applicant	**:**	Mr. Vikram Pratap, Advocate
For Non-Applicant	**:**	Ms. Sameeksha Gupta, 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 has been arrested in connection with Crime No. 181/2026 registered at Police Station Bhatgaon, District Sarangarh-Bilaigarh (C.G.), for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Case of the prosecution, in brief, is that on 14.09.2026, while the police party of Police Station Bhatgaon was on routine patrolling duty, they received secret information regarding the illicit transportation of contraband. Acting upon the said information, the police intercepted a motorcycle bearing registration No. CG 11 CF 3998 and recovered total

02.55 kg of contraband (Ganja) from the joint possession of the present applicant and co-accused namely Lilambar Sahu. Consequently, the present applicant and co-accused were arrested.

3. Learned counsel for the applicant submits that the applicant is innocent and has falsely been implicated in the crime in question. It is submitted that the quantity of contraband alleged to have been recovered is 02.55 kg, which is an intermediate quantity (much below the commercial quantity of 20 kg), and therefore, the bar under Section 37 of the NDPS Act is not attracted. He further submits that the applicant has no previous criminal antecedents, the investigation has been completed and the charge-sheet has already been filed, and the applicant is in jail since 15.09.2026. Since the conclusion of the trial is likely to take some time, it is prayed that the applicant may be released on regular bail.

4. On the other hand, learned counsel appearing for the State opposes the bail application and submits that 2.55 kg contraband Ganja has been seized from the joint possession of the applicant and the co-accused. However, she does not dispute that the applicant has no criminal antecedents, the seized quantity is intermediate, and the charge-sheet has already been filed.

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 the seized quantity of contraband Ganja is 02.55 kg, which is an intermediate quantity, the applicant has no prior criminal antecedents of similar nature, charge-sheet has already been filed, the applicant is in custody since 15.09.2026, and that the conclusion of the trial is likely to take considerable time, without expressing any opinion on the merits of the case, this Court is of the view that it is a fit case to enlarge 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.

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

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