CGHC010394152026 2026:CGHC:45616

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9528 of 2026

1 - Mohammad Imtiyaz @ Sarfaraz S/o Abdul Vahid Qureshi Aged About 27 Years R/o Piliya Gali, Near Shiv Mandir, Kelabadi, P.S. Padmanabhpur, Distt. Durg, Chhattisgarh.

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through The Station House Officer, P.S. Supela Bhilai, Distt. Durg, Chhattisgarh.

... Respondent(s)

For Applicant	:	Shri Jitendra Gupta, Advocate.
For Non-Applicant/State	:	Ms. Laxmeen Kashyap, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

28.10.2026

1) This is the first bail application filed under 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.1018 of 2026 registered at Police Station Supela Bhilai, District Durg, Chhattisgarh for the offence punishable under Sections 8 & 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2) The case of the prosecution, in brief, is that the police of Police Station Supela, Bhilai, District Durg, Chhattisgarh, received secret information from an informant and, acting on the said information, conducted a raid and seized 2.65 grams of heroin from the possession of the applicant and 6.20 gm of heroin was recovered from the possession of co-accused Mohd. Imtiyaz @ Sarfaraz. Thus, a total of 8.85 grams of heroin was seized, and thereafter, the aforesaid offence was registered against the applicant.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. He further submits that 2.65 grams of heroin was recovered from the possession of the applicant, whereas 6.20 grams of heroin was recovered from the possession of co-accused Mohd. Imtiyaz @ Sarfaraz. He further submits that the charge-sheet has already been filed, that the applicant has no criminal antecedents, and that he has been in jail since 18.7.2026. He also submits that the conclusion of the trial is likely to take considerable time. Therefore, he prays for grant of regular bail to the applicant.

4. On the other hand, learned counsel appearing for the State/non-applicant opposes the bail application and submits that an intermediate quantity of contraband was seized from the possession of the applicant and the co-accused and that one of the accused person is still absconding. She, therefore, submits that the application deserves to be dismissed.

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

6. Having considered the facts and circumstances of the case, particularly the fact that 2.65 grams of heroin was seized from the possession of the applicant and 6.20 grams from the possession of the co-accused, that the charge-sheet has already been filed, that the applicant has been in jail since 18.7.2026, and that the conclusion of the trial may take some time, this Court is of the view that the applicant is entitled to be released on bail in this case.

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 the following conditions:-

(a) he shall make himself available for interrogation by the police officer as and when required;

(b) 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; and

(c) he shall not act in any manner which will be prejudicial to a fair and expeditious trial.

The observation made hereinabove is for the purpose of deciding this bail application only, the learned trial Court shall decide the case on its own merits.

Sd/-
(Rakesh Mohan Pandey)
Judge

Nimmi