CGHC010394592026 2026:CGHC:45737

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9589 of 2026

Chudamani Yadav @ Chunnu S/o Shri Fekuram Yadav Aged About 23 Years R/o Krishna Nagar, Danganiya, P.S. D.D. Nagar, District Raipur Chhattisgarh.

... Applicant

versus

State Of Chhattisgarh Through Police Station D.D. Nagar, District Raipur Chhattisgarh.

... Non-Applicant

For Applicant	**:**	Mr. Pragalbha Sharma, Advocate
For Non-Applicant	**:**	Ms. Ritika Verma, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

29/10/2026

1. This is the First Bail Application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 439/2026 registered at Police Station D.D. Nagar, Raipur, District Raipur (C.G.) for the offence punishable under Section 22(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. The case of the prosecution, in brief, is that on 17.07.2026, the police of Police Station D.D. Nagar received secret information that two persons riding a Scooty (Activa) bearing registration No. CG-04-PC-6441 were standing near the water tank, Government School, Danganiya, Raipur,

carrying narcotic substances for sale. Acting upon said information, the police conducted a search and allegedly recovered 44 packets (each containing 10 tablets) and 1 open strip containing 4 tablets, totaling 444 tablets weighing 244.2 grams, from the joint possession of the present applicant and co-accused Triloki Soni @ Chhotu. Consequently, the FIR was lodged and the applicant was arrested.

3. Learned counsel appearing for the applicant submits that the applicant is innocent and has been falsely implicated in the crime. It is submitted that the alleged contraband was recovered from joint possession and not exclusively from the applicant. The recovered quantity falls under intermediate quantity, and the rigours of Section 37 of the NDPS Act do not apply to the case at hand. It is further submitted that the applicant has no prior criminal antecedents, the investigation has already been completed, the charge-sheet has been filed before the competent court, and the applicant has been languishing in jail since 18.07.2026. Therefore, trial will take considerable time to conclude, and the applicant may be enlarged on bail.

4. On the other hand, learned counsel appearing for the State opposes the bail application, submitting that the contraband (444 psychotropic tablets weighing 244.2 grams) was seized from the joint possession of the applicant and the co-accused while they were actively transporting it on a scooter for illicit sale. She further submits that looking to the nature and gravity of the offence, the applicant does not deserve the discretion of regular bail and prays for rejection of the application. However, on verified instructions from the case diary, the State counsel concedes that the applicant has no recorded criminal antecedents and that the charge-sheet has already been filed.

5. Heard learned counsel for the parties and perused the case diary as well as the charge-sheet.

6. Taking into consideration the facts and circumstances of the case, particularly that the seized contraband falls within intermediate quantity, which does not attract the bar under Section 37 of the NDPS Act; taking note of the fact that the applicant has no prior criminal antecedents; that the charge-sheet has already been submitted eliminating the possibility of tampering with the evidence; and considering the period of pre-trial detention undergone by the applicant since 18.07.2026, as well as the fact that trial is likely to take time to conclude, this Court is inclined to grant bail to the applicant. 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.

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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