CGHC010395842026 2026:CGHC:45450

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9522 of 2026

Naresh Nathni Mudi S/o Nathni Mudi Aged About 54 Years R/o Vaidhbadi Jhoppad Patti Jesal Melody Jadal Takka P.S. Panvel, Distt. Raigarh, Maharastra.

... Applicant(s)

KUNAL DEWANGAN

Digitally signed by KUNAL DEWANGAN

versus

State Of Chhattisgarh Through Station House Officer, Police Station Mujgahan, Raipur, Distt. Raipur, Chhattisgarh.

... Non-Applicant(s)

For Applicant	:	Mr. Mahant Kumar Jayswal, Advocate.
For Non-Applicant/State	:	Mr. Sourabh Sahu, Panel Lawyer.

Hon'ble Mr. Rakesh Mohan Pandey, Judge

Order on Board

28/10/2026

1. The applicant has preferred this first bail application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, as he has been arrested in connection with Crime No. 42/2026, registered at Police Station Mujgahan, District Raipur (C.G.), for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. The prosecution story, in brief, is that on 20.02.2026, on the basis of a secret information, the police of Police Station Mujgahan

conducted a raid beneath the Dhaneli Overbridge and apprehended the applicant, Naresh Nathani Modi, along with co-accused Ganesh Bhau Rao Jadhav. During search, 10.583 kilograms of ganja was allegedly seized from the possession of co-accused Ganesh Bhaurao Jadhav, whereas 10.623 kilograms of ganja was allegedly seized from the bag carried by the present applicant. The total quantity seized from both accused persons was 21.206 kilograms. After investigation, the charge-sheet was filed against the accused persons for the aforesaid offence.

3. Learned counsel for the applicant would submit that the applicant is innocent and has been falsely implicated in the present case. He would further submit that the seizure from the applicant and the co-accused was made separately and therefore, the quantity allegedly seized from the applicant, i.e. 10.623 kilograms of ganja, is below the commercial quantity. The prosecution cannot club the separately seized quantities to treat the recovery from the applicant as commercial quantity. He would also submit that the applicant has no criminal antecedents and has been in judicial custody since 20.02.2026. The charge-sheet has already been filed and despite the lapse of more than seven months, not a single prosecution witness has been examined. Therefore, the trial is likely to take considerable time. On these grounds, he prays for grant of bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that, as per the prosecution, a total of 21.206 kilograms of ganja was seized from the applicant and co-

accused, which is above the commercial quantity. He would further submit that the bail application of the similarly situated co-accused, Ganesh Bhaurao Jadhav, has already been rejected by a coordinate Bench of this Court in MCRC No. 7912/2026 vide order dated 25.08.2026. Therefore, the applicant is also not entitled to be released on bail.

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

6. Having considered the facts and circumstances of the case, nature and gravity of the offence alleged against the applicant, the total quantity of 21.206 kilograms of ganja allegedly seized from the applicant and the co-accused and the fact that the bail application of the co-accused, Ganesh Bhaurao Jadhav, has already been rejected by a coordinate Bench of this Court in MCRC No. 7912/2026 vide order dated 25.08.2026, this Court is of the view that no case is made out for grant of bail to the applicant.

7. Accordingly, the bail application filed by the applicant, involved in Crime No. 42/2026, registered at Police Station Mujgahan, District Raipur (C.G.), for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985., is hereby **rejected**.

Sd/-
(Rakesh Mohan Pandey)
Judge

Kunal