CGHC010400292026 2026:CGHC:46919

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9825 of 2026

1 - Anand Ramdas Londhe Son Of Ramdas Haribabu Londhe, Aged About 22 Years Resident Of Samrat Nagar Savidhan Society Flat No.15, Dindouri Road, P.S. Panchvati District Nasik Maharashtra At Present Resident Of Kumbharwada Santore Near Baba Mandir, Amardham Road, P.S. Bhadrakali, District Nasik Maharashtra.

NADIM ASHRAF MOHLE Date: 2026.11.05 14:55:40 +0530

2 - Rohit Datta Salve, Son Of Datta Salve, Aged About 26 Years Resident Of Janabaichal Navnatnagar, Petroad Panchvati Nasik Maharashtra.

... Applicants

versus

State Of Chhattisgarh Through Station House Officer, Police Station Maipur, District Gariyaband (C.G.). **... Non-Applican**t

For Applicants	**:**	Mr. B. L. Sahu, Advocate
For Non-Applicant/State	**:**	Mrs. Smriti Shrivastava, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

05/11/2026

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 applicants, who have been arrested in connection with Crime No. 112/2026 registered at Police Station Mainpur, District Gariyaband (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 22.08.2026, the police of Police Station Mainpur, District Gariaband, received secret information that two persons were travelling from Odisha towards Jhariabahara, Mainpur, on a Bajaj Pulsar motorcycle bearing registration No. MH-15-KP-7973, carrying ganja. Acting upon the information, the police conducted a raid and intercepted the motorcycle. Upon search, 9.830 kg of ganja in 9 packets was recovered from the possession of applicant/accused Anand Ramdas, while 5.610 kg of ganja in 5 packets was recovered from the possession of applicant/accused Rohit Dutta. Thus, a total of 15.440 kg of ganja was seized from their possession, and an offence under Section 20(b) of the NDPS Act was registered vide Crime No. 112/2026 at Police Station Mainpur, District Gariaband.

3. Learned counsel for the applicants submits that the applicants are innocent and have falsely been implicated in the present case. It is contended that the seized contraband was recovered from an open place and not from the exclusive or conscious possession of the applicants. It is further submitted that the seized quantity of Ganja (15.440 kg) is an intermediate quantity, which is less than commercial quantity; therefore, the rigors of Section 37 of the NDPS Act are not attracted. Applicant No. 1 has no criminal antecedents, whereas Applicant No. 2 has two previous antecedents (one under the IPC and another under the Excise Act), but neither applicant has any antecedents under the NDPS Act. The charge-sheet has already been filed, the applicants are in jail since 22.08.2026; thus, it is prayed that the applicants may be released on bail.

4. On the other hand, learned counsel appearing for the State opposes the bail application and submits that though the quantity is intermediate, Applicant No. 2 has two criminal antecedents one under the Indian Penal Code and another under the Excise Act and therefore, the application is liable to be rejected.

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

6. Taking into consideration the facts and circumstances of the case, particularly considering the fact that the seized contraband (15.440 kg Ganja) falls within the intermediate quantity, therefore, the stringent bar under Section 37 of the NDPS Act would not attract in this case; the charge-sheet has already been filed before the competent court; applicant No. 1 has no previous criminal antecedents; applicant No. 2 has no antecedent under the NDPS Act, though having two criminal antecedents under the IPC and Excise Act; they have been in judicial custody since 22.08.2026; conclusion of the trial is likely to take some time; without commenting on the merits of the case, the bail application is hereby **allowed**.

7. It is directed that in the event of the applicants executing their personal bond for a sum of Rs.50,000/- each with one surety in the like sum to the satisfaction of the concerned trial Court, they shall be released on bail on the following conditions:-

(i) they 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) they shall not act in any manner which will be prejudicial to fair and expeditious trial, &

(iii) they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-

Rakesh Mohan Pandey

JUDGE

Nadim