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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9642 of 2026

*** -** Ashadhu Das S/o Mangal Das Aged About 34 Years R/o Village Dhatiya, Post Lafra, Police Station Bamhani Banjar, District Mandala, M.P.

... Applicant

Versus

*** -** State Of Chhattisgarh Through Station House Officer, Police Of Police Station Komakhan, District Mahasamund, Chhattisgarh

... Non-Applicant

For Applicant	:	Mr. Shikhar Sharma, Advocate
For Non-Applicant	:	Ms. Laxmin Kashyap, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey
Order on Board

29/10/2026

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.131 of 2026 registered at Police Station Komakhan, District Mahasamund, Chhattisgarh for commission of offence punishable under Section 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Case of the prosecution, in brief, is that the police of Police Station Komakhan, District Mahasamund, Chhattisgarh received a secret information from the informant and on the said information conducted a raid and seized 8.290 kg of contraband Ganja from the possession of co-accused namely Shibu Mund and thereafter, the aforesaid offence was registered against the co-accused. Memorandum statement of co-

accused was recorded wherein he stated that contraband i.e. *Ganja* was carried by him for supply to the present applicant. Therefore, on the basis of memorandum statement of co-accused, the present applicant has been made an accused in Crime No. 131/2026.

3. Learned counsel appearing for the applicant would submit that the applicant has falsely been implicated in this case. He would further submit that 8.290 kg of contraband article i.e. *Ganja* was seized from the possession of co-accused namely Shibu Mund and his memorandum statement, the present applicant has been made an accused. It is contended that co-accused- Shibu Mund has already been enlarged on bail by this Court vide order dated 14.10.2026 in MCRC No. 8730/2026. He would also submit that the present applicant has no criminal antecedent and he is in jail since 01.9.2026 and conclusion of the trial is likely to take quite long 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 would oppose. She would fairly submit that 8.290 kg contraband articles i.e. *Ganja* was seized from the possession of co-accused and on his memorandum statement, he stated that contraband *Ganja* was carried by him for supply to the present applicant, therefore, the present applicant is not entitled for grant of bail.

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

6. Taking into consideration the facts and circumstances of the case that the contraband article i.e. 8.290 kg of Ganja was seized from the possession of co-accused who has already been enlarged on regular

by this Court; the present applicant is in jail since 01.09.2026, he has no criminal antecedent and the conclusion of the trial may take some time, therefore, I am inclined to release the present applicant on bail.

7. Accordingly, the bail application filed by the applicant is **allowed**. 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:-

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/her from disclosing such fact to the Court;

II. He shall not act in any manner which will be prejudicial to a fair and expeditious trial;

III. He shall appear before the trial Court on each and every date given to him by the said Court till the disposal of the trial; and,

IV. He shall not involve himself in any offence of a similar nature in future.

8. The observation made in the course of this order is only for considering the case of the applicant on the application for the grant of regular bail. The concerned trial Court shall not be influenced or bound by any observation made in the course of this order.

9. Certified copy as per rules.

Sd/-
(Rakesh Mohan Pandey)
Judge

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