CGHC010403562026 2026:CGHC:45953

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9698 of 2026

1 - Goutam Das Son Of Nawal Das, Aged About 28 Years Resident Of Ward No. 53, Santoshi Nagar, Raipur, P.S. Tikrapara, Raipur, District Raipur Chhattisgarh

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2 - Sonu Uike, Son Of Mulchand Uike, Aged About 26 Years Resident Of Near Hanuman Mandir Pachpedi Naka, Raipur, P.S. New Rajendra Nagar, Raipur, District Raipur Chhattisgarh **... Applicants**

versus

State Of Chhattisgarh Through Station House Officer, Police Station Basna, District Mahasamund (C.G.) **... Non-applicant**

For Applicants	**:** Shri Sudhir Kumar Sahu, Advocate.
For Non-applicant/State	**:** Ms. Ankita Shukla, Panel Lawyer

(HON'BLE SHRI JUSTICE RAKESH MOHAN PANDEY)

Order on Board

30/10/2026

1. This is the **first bail application** filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No.416/2026 registered at Police Station Basna, District - Mahasamund (C.G.) for the ofence under Section 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, the Act, 195)
2. The case of the prosecution, in brief, is that on 04.08.2026 upon receiving secret information regarding sale of Ganja, the police

intercepted the Mahindra Pick-up bearing registration No.CG-04-QR-0480 and seized the contraband ganja weighing 2.500 kilograms from the place of incident near Palsapali Barrier. Consequently, the applicants were arrested and the offence as stated above was registered against them.

3. Learned counsel for the applicant would submit that the applicants are innocent persons and have falsely been implicated. He would also submit that from the joint possession of the present applicants intermediate quantity of the contraband ganja has been seized, and therefore, it will not attract the rigors of Section 37 of the NDPS Act as the commercial quantity of ganja as prescribed under the schedule is more than 20 kgs and from the joint possession of the applicants, only 2.500 kilograms of ganja has been seized. He would later submit that the applicants have no criminal antecedents; they are in jail since 04.08.2026 and the conclusion of the trial is likely to take quite long time. Therefore, he would pray for grant of regular bail to the applicants.

4. On the other hand, learned counsel appearing for the State/non-applicant would oppose the bail application and submit that the charge-sheet has been filed in the present case before the competent Court and also endorse the said submission that the applicants have no criminal antecedent and further the quantity of contraband article which has been recovered from the joint possession of the applicants is less than commercial quantity. However, looking to the seriousness of the offence, the present applicants are 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 and the fact that the charge-sheet has been filed in the present case before the competent Court and the applicants have no criminal antecedents and further the quantity of contraband article seized from the joint possession of the applicants, is intermediate quantity and less than commercial quantity and the applicants are in jail since 04.08.2026 and conclusion of the trial may take some time, therefore, this Court is of the view that the applicants are entitled to be released on bail in this case. Accordingly, the application is **allowed**.

7. It is directed that the applicants shall be released on bail on each of them furnishing personal bond in some of Rs.50,000/- with one surety each in the like sum to the satisfaction of the Court concerned with 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.

8. The observation made herein above is for the purpose of deciding this bail application only and the trial Court shall decide the case on its own merits.

Sd/-

(Rakesh Mohan Pandey)
JUDGE

Anjani