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CGHC010404992026 2026:CGHC:46925

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9812 of 2026

1 - Bhuneshwar Sahu S/o Late Rattiram Sahu Aged About 62 Years R/o Singanpur, Police Station Sarona, District North Bastar Kanker, Chhattisgarh

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through - The Station House Officer - Police Station Sarona, District - North Bastar Kanker, Chhattisgarh

... Respondent(s)

For Applicant	:	Shri Syed Mohammad Sohail Afzal, Advocate.
For Non-Applicant/State	:	Ms. Monika Thakur, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

5.11.2026

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.43 of 2026 registered at Police Station Sarona, District North Bastar, Kanker Chhattisgarh for the offence punishable under Section 20(a) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2) The case of the prosecution, in brief, is that the police of Police Station Sarona, District North Bastar, Kanker, Chhattisgarh, received secret information from an informant and, acting upon the said information, conducted a raid and seized one cannabis plant weighing 3.600 kg, valued at approximately Rs. 1,80,000/-, from the possession of the applicant. Thereafter, the aforesaid offence was registered against the applicant.

3) Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case. He further submits that only one cannabis plant weighing 3.600 kg was seized from the possession of the applicant and, therefore, the rigours of Section 37 of the NDPS Act would not be attracted, as the commercial quantity of ganja prescribed under the Schedule is 20 kg or more. He further submits that the applicant has been in jail since 29.9.2026 and that the conclusion of the trial is likely to take a considerable amount of 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 the bail application and submit that the charge-sheet has been filed before the competent Court. She further submits that one cannabis plant weighing 3.600 kg was seized from the possession of the present applicant and, therefore, the applicant is not entitled to be released on 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, particularly the fact that one cannabis plant weighing 3.600 kg was

recovered from the possession of the applicant, which is less than the commercial quantity prescribed under the NDPS Act; the fact that the applicant has no criminal antecedents; the fact that the charge-sheet has already been filed; the fact that the applicant has been in jail since 29.9.2026; and the fact that the conclusion of the trial may take some time, this Court is of the view that the applicant is entitled to be released on bail in this case.

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 the following conditions:-

> (a) he shall make himself available for interrogation by the police officer as and when required;
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> (b) 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; and
>
> (c) he shall not act in any manner which will be prejudicial to a fair and expeditious trial.

The observation made hereinabove is for the purpose of deciding this bail application only, the learned trial Court shall decide the case on its own merits.

Sd/-
(Rakesh Mohan Pandey)
Judge

Nimmi