CGHC010409542026 2026:CGHC:46946

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9851 of 2026

1. Awatar Gurjar S/o Shankar Singh Gurjar Aged About 24 Years R/o Village Aduki, Police Station Highway, District Mathura U.P.

2. Vikram Singh S/o Digambar Singh Aged About 22 Years R/o Ward No. 32, Shankarpuri Colony, Police Station Highway, District Mathura U.P.

... Applicants

versus

1. State Of Chhattisgarh Through Station House Officer, Police Station Komakhan, District Mahasamund Chhattisgarh

... Non-applicant

For Applicant	:	Mr. Gurudev I. Sharan, Advocate
For Non-applicant	:	Mr. Sourabh Sahu, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order On Board

05.11.2026

1) The applicants have preferred this First Bail Application under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail, as they have been arrested in connection with Crime No. 160/2026, registered at Police Station Komakhan, District : Mahasamund (C.G.) for the offence punishable under Sections 20(b)(ii)(B) and 29 of NDPS Act.

2) Case of the prosecution, in brief is that on the basis of secret information, police of Police Station Komakhan intercepted a scooter and seized 8.460 kg of Ganja from the possession of Raghav Agrawal. It is further alleged that the said co-accused person has implicated the present applicants in his memorandum statement, and on such basis, the present applicants were arrested on 24.09.2026.

3) Learned counsel for the applicant submits that afore-stated quantity of Ganja has not been seized from the possession of the present applicants and they have been implicated solely on the basis of memorandum statement of the co-accused person. He further submits that the contraband article is less than commercial quantity and applicants have no criminal antecedents but they are in jail since 24.09.2026 and conclusion of trial is likely to take time, therefore instant bail application may kindly be allowed.

4) On the other hand, learned counsel appearing for the State/non-applicant opposes the bail application and submits that contraband article *i.e.* 8.460 kg of Ganja was seized from the co-accused, who has implicated the present applicants in the present case, therefore, applicants are not entitled for grant of regular bail.

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

6) It appears that the applicants have been implicated solely on the basis of the memorandum statement of the co-accused. Moreover, the present applicants have no criminal antecedents. Considering the fact that the contraband article, i.e., 8.460 kg of Ganja, was recovered from the co-accused, which is less than the commercial quantity, and that the applicants have been in custody since 24.09.2026, while the conclusion of the trial is likely to take some time, this Court is of the view that the applicants are entitled to be released on bail.

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

(a) they shall make themselves available for interrogation by the police officer as and when required;
(b)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; and
(c) they 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

Ajinkya