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HIGH COURT OF CHHATTISGARH AT BILASPUR

SIDDHANT TAMRAKAR
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MCRC No. 10113 of 2026

- Arun Jal S/o Arjun Jal, Aged About 37 Years R/o Village - Hiraloi, Police Station - Kisinda, District Sambalpur, (Odisha)

... Applicant

versus

- State Of Chhattisgarh Through Station House Officer, Police Station - Tikrapara, District - Raipur (C.G.)

... Non-Applicant

For Applicant : Mr. Yogesh Pandey, Advocate
For State : Mr. Aakash Agrawal, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

28.10.2026

1. This is the second 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. 115/2026 registered at Police Station Tikrapara, Raipur District Raipur (C.G.), for the offence punishable under Section 20(b) of NDPS Act.

2. Earlier, first bail application i.e. MCRC No. 3745 of 2026 was rejected on merits vide order dated 06.07.2026.

3. Case of prosecution in brief, is that on 09.02.2026, acting on secret information, the police of Police Station Tikrapara conducted a search near Bus Stand, Bhathagaon, and recovered 7 kg of ganja kept in seven packets

inside a blue trolley bag in the possession of the present applicant, Arun Jal. Thereafter, Police has registered an aforesaid offence against the present applicant.

4. Learned counsel appearing for the applicant would submit that the present applicant has falsely been implicated. He further submits that after rejection of first bail application, 6 witnesses have been examined out of 19 witnesses and they have not supported the case of prosecution. He would further submit that the present applicant is in jail since 09.02.2026 and trial may take some time for its conclusion. Thus, he would pray for grant of bail to the applicant.

5. On the other hand, learned counsel appearing for the State would oppose the bail application and submits that applicant has 12 criminal antecedents, out of which eight cases have been registered under the Excise Act and four under the Indian Penal Code. He further submits that earlier bail application was rejected on the ground of applicant's criminal antecedents. He contends that applicant is a habitual offender and there is no change in circumstances, thus, instant application deserves to be rejected.

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

7. It is a well-settled principle of law that, while entertaining a bail application, the High Court cannot conduct a mini-trial or undertake a detailed examination of the evidence. The reliability and credibility of the witnesses are matters to be assessed by the learned Trial Court during course of trial and cannot be assessed at this stage. Though six prosecution witnesses have been examined out of nineteen, the reliability and credibility of their testimonies are matters to be assessed by the learned Trial Court during

course of trial and cannot be examined in detail at this stage. Further, first bail application i.e. MCRC No. 3745 of 2026 was rejected on merits vide order dated 06.07.2026, applicant has 12 criminal antecedents, out of which eight cases have been registered under the Excise Act and four under the Indian Penal Code and his earlier bail application was rejected on this ground, there is no change in circumstances and further considering the allegations leveled against the present applicant, I am not inclined to allow this application.

8. Accordingly, the instant application for the grant of bail is hereby **rejected.**

Sd/-
(Rakesh Mohan Pandey)
JUDGE

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