CGHC010415862026 2026:CGHC:47018

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 10037 of 2026

1 - Dilip Behara S/o - Ulla Kahnu Behra Aged About 40 Years R/o - Zorapad P.S. - Binka District - Sonepur (Odisha) (As Per Challan)

2 - Jagannath Patro Urf Devtari S/o - Jhadu Patro Aged About 60 Years R/o - Jhadapara P.S. - Binka District - Sonepur (Odisha) (As Per Challan)

... Applicants

versus

1 - State Of Chhattisgarh Through Police Station - Tikarapara District - Raipur (C.G.)

... Respondent(s)

For Applicant	**:**	Shri Ashish Gangwani, Advocate
For Respondent(s)	**:**	Shri Sharad Mishra,

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

05/11/2026

1. This is the first bail application filed 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. 371/2026 registered at Police Station Tikrapara, District-Raipur for the offence punishable under Section20(B) of Excise Act. The applicant is in custody since 01.05.2026.
2. Case of the prosecution, in brief, is that on receiving information from the informer on 01.05.2026, police recovered 7.378 kg of ganja from joint possession of the applicant and other 2 co-accused. Thereafter the applicant was arrested on 01.05.2026.
3. Learned counsel for the applicant submits that that applicant is innocent and has been falsely implicated in the case. It is further submitted that the investigation has been completed and the charge-sheet has already been filed, he has been languishing in custody since 01.05.2026, and the conclusion of the trial is likely to take considerable time; thus, the applicant may be enlarged on regular bail.
4. On the other hand, learned counsel appearing for the State opposes the bail application and submits that 7.378 kg of ganja was seized from the joint possession of the applicant and other 2 co-accused; thus, applicant may not be granted bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the nature and gravity of the offence, the quantity of contraband seized,

further considering the period of pre-trial detention of the applicant since 01.05.2026 and that the conclusion of trial will take some time, without expressing any opinion on the merits of the case, this Court is inclined to release the applicant on bail.

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 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 from disclosing such fact to the Court,

   (ii) he shall not act in any manner which will be prejudicial to fair and expeditious trial, and

   (iii) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

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

SD/-

(Rakesh Mohan Pandey)

JUDGE

Madhurima