CGHC010430792026 2026:CGHC:46199

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 10316 of 2026

- Prince Kumar S/o Brahmadev Aged About 39 Years R/o - Ward No. 31, K L C Zone 02, Sector -11, Khursipar, Bhilai, Tehsil And District - Durg (C.G.) (As Per Correct Details)

... Applicant

versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Purani Bhilai, District - Durg (C.G.)

... Non-Applicant

For Applicant : Mr. Sudhanshu Singh, Advocate
For State : Ms. Laxmin Kashyap, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

02.11.2026

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. 102/2026 registered at Police Station Purani Bhilai, District Durg (C.G.), for the offence punishable under Sections 20(b), 22(c), 27(a) & 8 of NDPS Act.

2. Earlier, first bail application i.e. MCRC No. 6277 of 2026 was rejected on merits vide order dated 14.07.2026.

3. The case of the prosecution, in brief, is that the police of Police Station Purani Bhilai, District Durg received an information from the informant and

on the basis of the said information conducted a raid and seized 400 pieces of Dicyclomino Tramadol I, Poxico Spas capsule, having total weight of 299 grams. Thereafter, Police has registered an aforesaid offence against the present applicant.

4. Learned counsel for the applicant submits that the applicant is innocent and has falsely been implicated in the present case. It is contended that the co-accused Jitendra Singh has been granted bail by the Hon'ble Supreme Court in SLP (Crl.) No. 14812 of 2026 vide order dated 26.10.2026 and other co-accused persons have also been granted bail by this Court in MCRC Nos. 3289 of 2026, 3082 of 2026 and 4438 of 2026 vide order dated 16.06.2026. He further submits that six prosecution witnesses have already been examined and they have not supported the prosecution case. It is also submitted that the applicant has no criminal antecedents, he is in jail since 19.02.2026 and trial is likely to take some time to conclude, therefore, the present applicant is also entitled for grant of regular bail on the ground of parity. He would pray to allow this application.

5. On the other hand, learned counsel for the State would oppose the bail application and submit that prosecution has collected sufficient material against the applicant to establish his involvement in the alleged offence. However, she does not dispute the fact that co-accused Jitendra Singh has been granted bail by the Hon'ble Supreme Court vide order dated 26.10.2026.

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

7. Having considered the facts and circumstances of the case, nature and

gravity of allegation levelled against the present applicant and fact that charge-sheet has already been filed before the competent Court, applicant is in jail since 19.02.2026 and he has no criminal antecedents. Also considering the fact that the co - accused, namely, Jitendra Singh has already been granted regular bail by the Hon'ble Supreme Court in SLP (Crl.) No. 14812 of 2026 vide order dated 26.10.2026, therefore, this Court is of the view that the applicant is entitled to be released on bail in this case on the ground of parity.

8. Accordingly, the regular bail application is allowed and 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:-

(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, &

(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.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

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