



CGHC010432322026 2026:CGHC:46745

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 10502 of 2026

Ajay Sarthi S/o. Bharat Sarthi Aged About 27 Years Resident Of Ward No. 05, School Para, Dulopali Police Station Dongripali, District- Sarangarh-Bilaigarh (C.G.)

... Applicant

versus

State Of Chhattisgarh Through The Police Station Baramkela,, District Sarangarh-Bilaigarh (C.G.)

... Respondent

For Applicant	:	Mr. Jitendra Shukla, Advocate
For Respondent-State	:	Mr. Afroz Khan, Panel lawyer

Hon'ble Shri Parth Prateem Sahu, Judge

ORDER ON BOARD

04.11.2026

1. Applicant has filed this **second bail application** under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail as he has been arrested in connection with Crime No. 111/2026 registered at Police Station –Barmkela, District- Sarangarh- Bilaigar, (C.G.) for offence punishable under Section 20(b) of NDPS. First bail application of the present applicant was withdrawn with liberty to file a fresh bail after the filing of charge sheet vide order dated 09.09.2026 in MCRC No. 8346/2026.

2. Case of prosecution in brief is that, on 19.08.2026 Assistant Sub-Inspector Omprakash Rajput along with his Staff went on a rural patrolling. During the patrolling one super splendor motor cycle coming from the main road near Goverdhan Mandir was suspected and from his possession eight packets totaling 08 Kilo 460 grams of contraband ganja was seized which was worth Rs. 4,00,000/- . Based upon which FIR was registered against the present applicant and he was arrested on 19.08.2026.

3. Learned counsel for applicant submits that applicant has been falsely implicated in the crime, he has not committed offence as alleged. He further submits that applicant was intercepted while he was driving the motorcycle and it was alleged that he was possessing contraband ganja of 08.460 kg, though he was not possessing the same. He also submits that there is no criminal antecedent registered against the present applicant, hence he may be enlarged on bail.

4. On the other hand, learned counsel for State opposes the submission made by learned counsel for the applicant and submits that based on the secret information, applicant was intercepted while he was driving the said motorcycle and during the search contraband ganja of 8.40 Kg in the motorcycle was seized. However, he do not dispute the submission made by learned counsel for the applicant that the applicant is having no criminal antecedent registered against him.

5. I have heard learned counsel for the parties and perused the documents enclosed along with the bail application.

6. Taking into consideration the facts and circumstances of the case as also the submission made by learned counsel for the respective parties

and further considering that charge-sheet has been filed and there is no criminal antecedent registered against the applicant, without commenting anything on the merits of the case, I am inclined to allow this application.

7. Accordingly, bail application is **allowed**. It is directed that the applicant shall be released on regular bail, upon furnishing a bail bond in the sum of ₹ 25,000/- with one surety in the like sum to the satisfaction of the Court on the conditions that-

(a) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(b) The applicant shall remain present before the trial court on each date fixed, either personally or through him counsel. In case of him absence, without sufficient cause, the trial court may proceed against him under Section 269 of Bharatiya Nyaya Sanhita.

(c) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence, proclamation under Section 84 of BNSS. is issued and the applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(d) The applicant shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 of BNSS. If in the opinion of the trial court absence of the applicant is deliberate or without sufficient

cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against him in accordance with law.

8. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Certified copy as per rules.

Sd/-

(Parth Prateem Sahu)
JUDGE

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