CGHC010433632026 2026:CGHC:47078

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 10686 of 2026

- Tauhid Ali S/o Sadik Ali Aged About 30 Years R/o Risai Para Near Bhagwati Bakery, P.S. City Kotwali, District Dhamtari (C.G.)

... Applicant

versus

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

... Non-Applicant

For Applicant : Mr. Prasoon Agrawal, Advocate
For State : Mr. Sumit Singh, Additional Advocate General

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

16.11.2026

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. 190/2025 registered at Police Station Kabir Nagar, District Raipur (C.G.), for the offence punishable under Sections 18(b), 21 (b) of NDPS, Section 111 of BNS and Sections 25 & 27 of Arms Act.

2. Earlier, first bail application i.e. MCRC No. 10363 of 2025 was rejected on merits vide order dated 05.01.2026.

3. As per the prosecution, on 29.08.2025, acting on secret information, the police of Police Station Kabir Nagar conducted a search at the residence of

co-accused Rupinder Singh and allegedly recovered 87.93 grams of heroin, 91 grams of opium and cartridges. During investigation, co-accused Rupinder Singh allegedly disclosed that he along with his associates had transported the contraband from Punjab to Raipur for sale and distributed the same amongst various peddlers. The mobile phone data of the said co-accused allegedly revealed that the applicant was in frequent contact with him and was one of his subordinate peddlers involved in the sale of contraband. Thereafter, police has registered aforesaid offence against the present applicant.

4. Learned counsel for the applicant submits that first bail application of applicant was rejected on account of his criminal antecedent of similar nature. Mr. Agrawal would further submit that applicant has been acquitted in the said case, i.e., Special Sessions Case (NDPS Act) No. 06/2024, vide judgment dated 03.10.2026. He would further submit that the other co-accused persons have already been enlarged on bail in MCRC Nos. 8958 of 2025, 9991 of 2025, 10123 of 2025, 1039 of 2026 and 9949 of 2025, vide orders dated 10.11.2025, 05.12.2025, 09.12.2025, 16.03.2026 and 05.01.2026, respectively. Thus, he would pray for grant of bail to the present applicant.

5. On the other hand, learned counsel for the State would oppose the bail application.

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

7. Having considered facts and circumstances of case, nature and gravity of allegations levelled against the applicant and fact that earlier bail application

of the applicant was rejected solely on account of his criminal antecedent of similar nature and said case has already been disposed of wherein he has been acquitted; co-accused persons have already been enlarged on bail. Further taking note of the fact that no contraband article was seized from present applicant and period of detention already undergone by the applicant, I am inclined to allow the present bail application.

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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