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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 760 of 2026

Abhishek Kumar Banchor S/o Ashok Banchor Aged About 35 Years R/o Village Selud, Jawahar Chowk, P/s Utai, District Durg, C.G. Currently At House No. 488, Sumit Landscape, Balodabazar Road, Near D P S School, Semariya, P/s Vidhansabha District Raipur C.G.

... Applicant

versus

State Of Chhattisgarh Through SHO P.S. Devendra Nagar, District – Raipur C.G.

---- Non-applicant

For Applicant	:	Mr. Akash Mishra, Advocate.
For Respondent/State	:	Ms. Monika Thakur, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

21.01.2026

1. The applicant has preferred this First Bail Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 186/2025, registered at Police Station – Devendra Nagar, District – Raipur (C.G.) for the offence punishable under Section 18(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985, for short, the NDPS Act.
2. The prosecution story, in brief, is that a secret information was received by the Police of Police Station – Devendra Nagar, District – Raipur



(C.G.) through the informant and on the basis of such information, the Police has seized a total of 616.15 Grams of Opium from the possession of the present applicant. Thereafter, the applicant was arrested by the Police and the aforesaid offence has been registered.

3. It has been argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case. It is submitted that the charge-sheet has been filed in this case. It is also submitted that from the possession of the applicant only 616.15 Grams of Opium has been seized. It is further submitted that there are no any criminal antecedents of the applicant, and he is in jail since 19.09.2025 and the conclusion of the trial is likely to take quite long time. Therefore, he prays for grant of regular bail to the applicant.
4. On the other hand, the learned counsel for the State opposes the bail application and submits that the charge-sheet has been filed in the present case and there are no any criminal antecedents of the applicant. It is submitted that a total of 616.15 Grams of Opium has been recovered from the possession of the applicant, therefore, this bail application is liable to be rejected.
5. I have heard learned counsel for the parties and perused the material available on record.
6. After hearing the submissions advanced by learned counsel for the parties as well as considering the quantity of contraband article from the possession of the applicant i.e. a total of 616.15 Grams of Opium, which is less than the commercial quantity. Also considering the fact that charge-sheet has been filed, and further that the applicant is in jail



since 19.09.2025 and the conclusion of the trial is likely to take sometime, I am of the opinion that the applicant is entitled to be released on bail in this case.

7. Let the applicant, **Abhishek Kumar Banchor** involved in Crime No. 186/2025, registered at Police Station – Devendra Nagar, District – Raipur (C.G.) for the offence punishable under Section 18(b) of the NDPS Act, 1985, be released on bail on their furnishing **a personal bond** with **two sureties** in the like sum to the satisfaction of the court concerned with the following conditions:-

(i) 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.

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

(iii) 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.

(iv) 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



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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 provide a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

**Sd/-
(Ramesh Sinha)
Chief Justice**

Rajshekhar