



2026:CGHC:9763



2025:CGHC:4138

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. (A) No. 132 of 2026

Joseph Kandpani S/o Shri Shashipatra Kandpani Aged About 34 Years (Wrongly Mentioned In Cause Title), R/o Village Jhondiguda, Manjhiguda, Vyapariguda, Koraput, Distt. Koraput, Odisha.

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, Nagarnar, Distt. Bastar, Chhattisgarh.

---- Respondent

For Applicant	-	Shri Sunil Verma, Advocate.
For Respondent/State	-	Shri Keshav Prasad Gupta, G.A.

Hon'ble Shri Justice Sachin Singh Rajput

Order on Board

24-02-2026

1. Heard on Admission.
2. This is the second bail application for grant of bail filed under Section 482 of the Bhartiya Nagrik Suraksha Sahita, 2023 (for short "BNSS") by the applicant who is apprehending his arrest in connection with the Crime No.123/2021 registered at Police Station – Nagarnar, District – Bastar (C.G.) for the offence punishable under Section 20(B) of N.D.P.S. Act, 1985. The first application of the applicant was dismissed as withdrawn vide order dated 13.11.2024 in M.Cr.C. A. No. 1272 /2024 passed by this Court.
3. Case of the prosecution, in brief, is that on 18.07.2021, at about 06:30PM upon receiving secret information to the effect that in a white colour Bollero jeep bearing registration No. CG-22/R/7238 two persons were transporting illicit contraband from Orissa to Jagdalpur, the Police proceeded to the spot and after complying with the mandatory provision seized the same



4. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. He further submits that the earlier application being M.Cr.C. (A) 1272/2024 was dismissed as withdrawn with liberty to avail the remedy under the law, thus application may be allowed. He submits that there is no admissible evidence against the applicant; that the applicant is a student and there is no evidence to show that the contraband was seized from the possession of the applicant, that the applicant is the sole bread winner in the family and if arrested, the entire family will be ruined and therefore, the application may be allowed.
5. Learned counsel for the respondent submits that FIR was registered on 18.07.2021 and the co-accused and during course of investigation involvement of present applicant came to surface. He further submits that despite dismissal of the first application, the petitioner has not cooperated with the investigation and remained absconding and therefore, his custodial interrogation would be necessary. Being this, the State counsel submits that the applicant is not entitled for anticipatory bail and therefore, the application is liable to be rejected.
6. Heard learned counsel for the parties and perused the documents.
7. In the fact and circumstances of the case, considering the rival submissions of the counsel for the parties, looking to the nature of allegation and the evidence collected that the custodial interrogation of the applicant may be necessary, taking into consideration section 37 of N.D.P.S. Act, this Court is of the considered opinion that it is not a fit case to grant anticipatory bail to the applicant. Application is accordingly rejected.

Sd/-

(Sachin Singh Rajput)
Judge