



2026:CGHC:9477



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NAFR

## HIGH COURT OF CHHATTISGARH AT BILASPUR

### MCRC No. 715 of 2026

Shantanu Jaiswal S/o Gyaneshwar Jaiswal Aged About 28 Years R/o H-2/560 (Wrongly Mentioned As S.2/560 In Bail Rejection Order), Govind Nagar Colony, Sikrol, Police Station - Kent, Varanshi (Uttar Pradesh)

... Applicant(s)

**versus**

State Of Chhattisgarh Through Station House Officer, Police Chowki- C S E B, Police Station - Civil Line Rampur, Korba, District - Korba (C.G.)

... Respondent(s)

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For Applicant(s) : Mr. Malay Shrivastava, Advocate.

For Respondent(s) : Ms. Ritika Verma, Panel Lawyer.

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**Hon'ble Mr. Ramesh Sinha, Chief Justice**

**Order on Board**

**24/02/2026**

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the applicant who has been arrested in connection with Crime No. 511/2025 registered at Police Station Civil



Line Rampur, Korba, District - Korba (C.G.) under Section 20(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Case of the prosecution, in brief, is that on 19.08.2025 at about 4:04 P.M., Police Station Civil Line, Rampur, Korba (District Korba, C.G.) registered an FIR on the basis of secret information received earlier at 6:30 A.M. by Police Chowki CSEB, Korba, to the effect that 5–6 persons were coming from Deepika and Bankimogra in possession of narcotic drugs and psychotropic substances for the purpose of sale. Acting upon the said information, the police reached the spot and, upon investigation, found six persons in possession of psychotropic substances. Consequently, all six persons were arrested and an offence under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 was registered. During further investigation, the police allegedly received information that one Ajay Kumar Kannojiya and the present applicant, residents of Varanasi, were the suppliers of the said psychotropic substances. Thereafter, on the same day at about 11:16 P.M., the police party from Police Station Civil Lines, Korba reached Police Station Sagra, Commissionerate Varanasi, and intercepted the applicant and Ajay Kumar Kannojiya near the Bus Stand, Railway Station, Varanasi. From the possession of the applicant, 67 strips of “Proxyco SPAS” tablets, each strip containing 24 capsules, were allegedly recovered. On this basis, both were produced before the Chief Judicial Magistrate, Varanasi, for transit remand. Hence, the bail application.



3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and the contraband substance was not seized from the exclusive possession of the applicant. He further submits that that prosecution agency has not followed the provisions under Section 42 of the NDPS Act and not taken search warrant from the superior authority. He also submits that from the possession of the applicant *67 strips of "Proxyco SPAS" tablets, each strip containing 24 capsules* has been recovered, which is less than the commercial quantity. He later submits that the applicant has no criminal antecedent and one identically situated co-accused, namely, Abhishek Kumar Ratre has already been granted bail by this Court vide order dated 02.01.2026 in MCRC No.7929 of 2025, further the applicant is in jail since 19.08.2023 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, learned counsel appearing for the State/non-applicant would oppose the bail application and submit that the charge-sheet has been filed in the present case before the competent Court and also endorse the said submission that the applicant has no criminal antecedent. She further submits that from the possession of the applicant contraband substance *i.e. 67 strips of "Proxyco SPAS" tablets, each strip containing 24 capsules* is seized, therefore, the present applicant is not entitled for grant of bail.



5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case and the fact that the applicant has no criminal antecedent and the contraband article *i.e. 67 strips of "Proxycyco SPAS" tablets, each strip containing 24 capsules*, recovered from the possession of the applicant is less than the commercial quantity, further considering the fact that one identically situated co-accused, namely, Abhishek Kumar Ratre has already been granted bail by this Court vide order dated 02.01.2026 in MCRC No.7929 of 2025 and charge-sheet has been filed in the present case, as such, this Court is of the view that the applicant is entitled to be released on bail in this case.
7. Accordingly, the application is **allowed**.
8. Let the Applicant - **Shantanu Jaiswal**, involved in Crime No. 511/2025 registered at Police Station Civil Line Rampur, Korba, District - Korba (C.G.) under Section 20(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985, be released on bail on his furnishing **personal bond** with **two local 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 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.

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

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