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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 740 of 2026**

Ramesh Yadav S/o Punit Ram Aged About 26 Years R/o Ward No. 18,
Gudrupara, Mahasamund, Police Station and District – Mahasamund, C.G.

... Applicant**versus**

State of Chhattisgarh Through Station House Officer, Police Station
Mahasamund, District- Mahasamund, C.G.

... Non-Applicant

For Applicant	: Mr. Arun Kumar Shukla, Advocate.
For Non-Applicant/State	: Mr. Shubham Bajpai, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****20.01.2026**

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. 403/2025, registered at Police Station – Mahasamund, District- Mahasamund (C.G.) for the offence punishable under Section 21(a), 22(a) of the Narcotic Drugs and Psychotropic Substances Act, 1985, for short, the NDPS Act. (wrongly mention 21(b), 22(b) in order-sheet).
2. As per the prosecution case, it is alleged that the concerned police station received information on 16.09.2025 that a person carrying a bag containing prohibited tablets was searching for customers for the purpose of sale. Acting upon the said information, the police conducted a search



and found a person carrying a bag. After complying with the mandatory provisions relating to search and seizure, the bag was searched and certain SPAS-TRASCEN PLUS capsules were allegedly recovered from the possession of the applicant. The total quantity recovered has been shown as 1,66,320 mg, which is less than the commercial quantity. Consequently, an FIR was registered against the applicant, and he was arrested for offences punishable under Sections 21(a) and 22(a) of the Narcotic Drugs and Psychotropic Substances Act.

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 also submitted that no recovery of any contraband substance has been made from the exclusive possession of the applicant. It is further submitted that there is no previous criminal antecedents of the applicant and he is in jail since 16.09.2025 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 a total quantity of alleged contraband substance which has been recovered from the possession of the applicant, is intermediate in quantity and also endorse the fact that the applicant has no previous criminal antecedents.
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 alleged contraband substance which has been recovered from the possession of the



applicant, is intermediate in quantity, also considering the fact that charge-sheet has been filed and there is no previous criminal antecedents and further, that the applicant is in jail since 16.09.2025 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. Accordingly, the bail application is **allowed**. Let applicant, **Ramesh Yadav** involved in Crime No. 403/2025, registered at Police Station – Mahasamund, District- Mahasamund (C.G.) for the offence punishable under Section 21(a), 22(a) of the Narcotic Drugs and Psychotropic Substances Act, 1985, for short, the NDPS Act. (wrongly mentioned 21(b), 22(b) in order-sheet), be released on bail on his 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.



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(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.

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

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