



2026:CGHC:3298



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 693 of 2026**

Onyeka Stephen Ozuchuku S/o Anthony Ozuchuku Aged About 40 Years R/o Village 19 Rarela, Boy Lagos State, Nigeria, Africa Present Address Nawaha Om Vihar, Uttam Nagar, New Delhi (India)

... Applicant**versus**

State Of Chhattisgarh Through Police Station Tikrapara, Raipur, District – Raipur (C.G.)

---- Non-applicant

For Applicant : Mr. Vivek Mishra, Advocate.

For Non-applicant/State : Mr. Priyank Rath, Govt. Advocate.

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 the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) in connection with Crime No.735/2024, registered at Police Station – Tikrapara, Raipur, District – Raipur (C.G.) for the offences punishable under Section 21(B) and 29 of the NDPS Act and Section 25 of Arms Act.
2. The prosecution story in brief, is that on 23/09/2024 the police of police station Tikrapara acted upon the secret information



received to them regarding one suspected person who was wandering near Oxyzone, Kamal Vihar, Raipur, upon which the police party after following the procedure reached to the spot where the suspected person upon seeing the police started running, thereafter the police party chased and caught hold on him, the person who was caught identified himself as Shubham Soni S/o. Jayaswal Soni, R/o. Santoshi nagar, Durgapara, PS. Tikrapara, Raipur, Upon his interrogation he accepted to have custody of Narcotics Drugs and Psychotropic Substances and thereafter from his possession 4 packets of charas was seized as well as 53 pieces of pink color tablet of MDMA and 45 pieces of blue color MDMA tablets were seized.

3. Total weight of Methylenedioxy methamphetamine is 44 grams 45 Milligrams and 31 Grams 88 Milligrams of Charas. Moreover, an amount of Rs. 1,00,000/-, 100 pieces of golden color empty capsules, one eagle company's electric weight machine and one pistol were seized. Thereafter the said Shubham Soni was arrested on the same day and his memorandum statement was recorded in which he took the name of one Abhishek Sahu Alias Chinni and Sonu alias Lokesh Agrawal. Upon further investigation and interrogation Abhishek Sahu in his memorandum statement disclosed the name of Amandeep Chabra and like wise all the other accused persons were traced on the basis of their different roles in commission of crime. The role of present applicant Onyeka Stephen Ozuchuku was disclosed by co-accused Najre



Alam wherein it was stated that the present applicant used to use the Kotak Mahindra Bank account of co-accused Najre Alam for withdrawal of amount and in return commission was paid to Najre Alam. From the memorandum of present applicant one mobile phone yellow color techno spark company was seized in which two mobile numbers 8413056339 and 8732065203 were used. Thereafter the investigation was concluded and challan was submitted before the Special Court (NDPS), Raipur. Hence, this application.

4. 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 further submitted that the bail application of the co-accused was already rejected by this court and the applicant is the resident of Nigeria (Africa), and so far as the status of the trial is concerned out of 38 prosecution witnesses, only 3 have been examined by the trial Court, therefore, it is prayed the status of the trial also be expedited. It is further submitted that the charge-sheet has been filed in this case. The applicant is in jail since 01.10.2024. The conclusion of the trial is likely to take some time, therefore, he prays for grant of bail.
5. On the other hand, the learned counsel for the State opposes the bail application and submits that a total of 31.88 Grams of Charas, 98 MDMA Tablets weighing a total 45.08 Grams and one iron pistol with an empty magazine has been seized from the



possession of the co-accused, which is above the commercial quantity, and the role of present applicant was disclosed by co-accused Najre Alam wherein it was stated that the present applicant used to use the Kotak Mahindra Bank account of co-accused Najre Alam for withdrawal of amount and in return commission was paid to Najre Alam, and the bail application of the co-accused has been rejected by this Court vide order dated 11.09.2025 passed in MCRC No.s 7263/2025. It is further submitted that the charge-sheet has been filed in this case. Hence, this bail application is liable to be rejected.

6. I have heard learned counsel for the parties and perused the material available on record.
7. Taking into consideration the fact that the quantity of contraband article seized from the possession of the co-accused i.e. a total of 31.88 Grams of Charas, 98 MDMA Tablets weighing a total 45.08 Grams and one iron pistol with an empty magazine, is above the commercial quantity, and the role of present applicant who is said to be resident of Nigeria (Africa) was disclosed by co-accused Najre Alam wherein it was stated that the present applicant used to use the Kotak Mahindra Bank account of co-accused Najre Alam for withdrawal of amount and in return commission was paid to Najre Alam, and the bail application of the co-accused has been rejected by this Court vide order dated 11.09.2025 passed in MCRC Nos. 7263/2025, and so far as the status of the trial is



concerned out of 38 prosecution witnesses, only 3 have been examined by the trial Court, and the applicant is failed to give any explanation for the same and it could not be a case of false implication, the charge-sheet has been filed in this case, hence, the bail application of applicant – **Onyeka Stephen Ozuchuku** involved in Crime No.735/2024, registered at Police Station – Tikrapara, Raipur, District – Raipur (C.G.) for the offences punishable under Section 21(B) and 29 of the NDPS Act and Section 25 of Arms Act, is **rejected** at this stage.

8. Needless to say that the learned trial Court concerned is at liberty to proceed with the trial and conclude the same, as expeditiously as possible, preferably within a period of six months, from the date of passing of this order, if there is no any legal impediment.
9. The Office is directed to provide a certified copy of this order to the trial Court for necessary information and compliance forthwith.

Sd/-
(Ramesh Sinha)
Chief Justice