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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 804 of 2026

Lovepreet Singh S/o Piyara Singh Aged About 23 Years R/o 303 Premnagar,
Camp 01, Azad Mohhalla, P.S. Supela, Bhilai, Distt. Durg, Chhattisgarh.

...Applicant

versus

State Of Chhattisgarh Through P.S. Purani Bhilai, Distt. Durg, Chhattisgarh.

...Non-applicant

For Applicant	: Mr. Ashish Gangwani, Advocate.
For Non-applicant/State	: Mr. Sourabh Sahu, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

22.01.2026

1. This is the first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 376/2025 registered at Police Station – Purani Bhilai District - Durg (C.G.) for the offence under Sections 18(A) and 27(A) of the Narcotic Drugs and Psychotropic Substances Act.
2. The case of the prosecution, in brief, is that on receiving information from the informer on dated 01.10.2025, Police Station Purani Bhilai



police has recovered 45.83 grams of Opium Drugs from possession of the applicant. And 53.72 grams of Opium Drugs and 48.08 grams of Opium Drugs from possession of the 2 other co-accused. total 145.17 grams of Opium Drugs recovered from all 3 accused Thereafter, the police registered crime no. 376/2025 and applicant arrested in this matter.

3. The applicant has been falsely implicated in the present case. He further submits that applicant neither committed nor participated in the alleged crime, and there is no iota of evidence, either direct or circumstantial, to connect him with the offence. The applicant has been in judicial custody since 01.10.2025 and is the sole earning member of his family, due to which his incarceration has caused severe hardship to his dependents. The applicant has no previous criminal antecedents of a similar nature. It is further submitted that only 145.17 grams of opium has been shown to be seized, which is much less than the commercial quantity prescribed under Table No. 92 of the Central Government notification, wherein small quantity is less than 25 grams and commercial quantity is more than 2.5 kg. The alleged unclaimed contraband recovered from the spot does not belong to the applicant, nor was he transporting or selling the same, and his implication is merely based on suspicion. The applicant is a law-abiding citizen belonging to a respectable family, is a permanent resident of the address mentioned in the cause title, and there is no likelihood of his absconding or tampering with prosecution witnesses. The applicant undertakes to cooperate with the trial and is ready to furnish adequate security and abide by all conditions imposed by this Hon'ble Court.



4. On the other hand, learned counsel appearing for the State/non-applicant. He further submits that from the possession of the applicant contraband article *i.e.* 45.83 grams of Opium Drugs from possession of the applicant, therefore, he is not entitled for grant of regular 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, it is noted that 45.83 grams of opium was allegedly recovered from the possession of the present applicant, while 53.72 grams and 48.08 grams of opium were recovered from the possession of the two other co-accused persons, making the total recovery 145.17 grams of opium from all three accused, which is much less than the commercial quantity, the applicant has no criminal antecedents and the fact that the charge-sheet has already been filed before the competent Court, the applicant has been in custody since 01.10.2025, and the conclusion of the trial is likely to take considerable time, this Court is of the considered opinion that the applicant is entitled to be released on bail in the present case.
7. Let the Applicant - **Lovepreet Singh** involved in Crime No. 376/2025 registered at Police Station – Purani Bhilai District - Durg (C.G.) for the offence under Section 18(A) and 27(A) of the Narcotic Drugs and Psychotropic Substances Act, be released on bail on 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 she shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in



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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 her 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 her, 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.

8. 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**