



2026:CGHC:10559



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NAFR

## **HIGH COURT OF CHHATTISGARH AT BILASPUR**

### **MCRC No. 1032 of 2026**

Sillu Mishra @ Sallu Mishra W/o Vinod Mishra Aged About 40 Years R/o Civil Lines, Dist. Raipur (C.G.) (Details Mentioned As Per Order Sheet)

**... Applicant**

**versus**

State of Chhattisgarh Through Station House Officer, P.S. Civil Lines Dist. Raipur (C.G.)

**... Non-Applicant**

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|-------------------------|------------------------------------|
| For Applicant           | : Mr. Devershi Thakur, Advocate.   |
| For Non-Applicant/State | : Ms. Monika Thakur, Panel Lawyer. |

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**Hon'ble Shri Ramesh Sinha, Chief Justice**

**Order on Board**

**28.02.2026**

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.428/2025, registered at Police Station – Civil Line District- Raipur (C.G.) for the offence punishable under Sections 20 (b) and 27(a) of NDPS Act.
2. As per the prosecution case, on 05.09.2025, it is alleged that upon receiving information from an informant, the police of Civil Lines Police Station, Raipur, conducted proceedings under the provisions of the NDPS Act and seized five packets of an alleged narcotic substance, ganja, weighing 11.100 kilograms, which were stated to have been wrapped in a coloured printed bag and allegedly recovered from the possession of



co-accused Uttamdeep near Khadi Bhandar, Pandri, Raipur. It is alleged upon the applicant that she had telephonically called the co-accused Avinash and had directed him to collect the packages. Thus even as per the prosecution story, no seizures have been made from the present applicant.

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 submitted that the charge-sheet has been filed in this case. It is also submitted that from the possession of the applicant nothing has been seized. It is further submitted that co-accused person, namely, Uttam Deep has already been allowed by this Court vide order dated 11.12.2025 passed in MCRC No. 10221/2025, there is no criminal antecedents of the applicant and he is in jail since 07.01.2026 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 the charge-sheet has been filed in the present case and there is no criminal antecedents of the applicant. It is submitted that a total of 11.100 KG of Ganja has been recovered from the possession of the co-accused.
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 and upon considering the quantity of Ganja seized from the possession of the co-accused, i.e., a total of 11.100 kilograms, which is less than the commercial quantity, and further taking into account that the



co-accused has already been granted bail by this Court vide order dated 11.12.2025 passed in MCRC No. 10221/2025, also considering the fact that the charge-sheet has been filed, there are no criminal antecedents of the present applicant, the applicant is in custody since 07.01.2026, and the conclusion of the trial is likely to take considerable time, I am of the considered opinion that the applicant is entitled to be released on bail in the present case.

7. Accordingly, the bail application is allowed and it is directed that the Applicant- **Sillu Mishra @ Sallu Mishra**, involved in Crime No.428/2025, registered at Police Station – Civil Line District- Raipur (C.G.) for the offence punishable under Sections 20 (b) and 27(a) of NDPS Act., 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,



2026:CGHC:10559

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 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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