



2026:CGHC:10062



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1952 of 2026

Satyavati Mahapatra W/o Late Gopal Mahapatra Aged About 38 Years R/o Village Frezpur, Shantinagar Ward, Motiram Gali, Police Station Bodhghat, Jagdalpur, District Bastar, Chhattisgarh.

... Applicant(s)

versus

State Of Chhattisgarh Through Station House Officer, Bodhghat, Jagdalpur, District Bastar, Chhattisgarh.

... Non-applicant(s)

For Applicant	: Mr. Sunil Verma, Advocate
For Non-applicant/State	: Mr. Shubham Bajpai, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

26.02.2026

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. 491/2025 registered at Police Station-Bodhghat, Jagdalpur District - Bastar (C.G.) for the offence under Section 21(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. Case of the prosecution, in brief is that on 30.10.2025, at about 16:25 hours, on the basis of secret information, the police allegedly



recovered 176 capsules of “Pyreeyvon Spas Plus (Dicyclomine HCL, Tramadol HCL & Acetaminophen)” from the possession of the applicant. The total weight is shown as 117.92 grams. Thereafter, the police registered a case against the applicant for an offence punishable under Section 21(B) of the N.D.P.S. Act.

3. Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in this case. It is submitted that the alleged recovery of 176 capsules weighing 117.92 grams is below the commercial quantity and therefore the bar under Section 37 of the N.D.P.S. Act is not applicable. The applicant is a poor widow lady and the sole earning member of her family, maintaining her minor children and aged parents through labour work and her continued detention is causing severe hardship to the family as there is no caretaker for the children. It is further submitted that no independent witness from the locality has supported the alleged recovery and no incriminating article was recovered from the house of the applicant. The applicant has no criminal antecedents, the charge-sheet has already been filed and she is in judicial custody since 31.10.2025, and the trial is likely to take considerable time for its conclusion, therefore, he prays for grant of regular bail to the applicant.
4. On the other hand, learned counsel appearing for the State/non-applicant opposes the bail application and submits that in the present case the charge-sheet has already been filed before the competent Court. It is further submitted that the applicant has one criminal antecedent under the Gambling Act, for which no explanation has been offered. Although the quantity of the contraband seized from the



possession of the applicant is below the commercial quantity, considering the seriousness of the case, the applicant is not entitled to be released on 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 that in the present case, charge-sheet has been filed before the competent Court and further the quantity of contraband article which is said to have been recovered from the possession of the applicant, is below the commercial quantity and the applicant has only one criminal antecedent under the Gambling Act and moreover, she is lady and is in jail since 31.10.2025 and conclusion of the trial may take some time, therefore, this Court is of the view that the applicant is entitled to be released on bail in this case.
7. Let the Applicant – **Satyavati Mahapatra**, involved in Crime No. 491/2025 registered at Police Station-Bodhghat, Jagdalpur District - Bastar (C.G.) for the offence under Section 21(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985., be released on bail on furnishing **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 she 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 her counsel. In case of her absence, without sufficient cause, the trial court may proceed against her under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure her 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 her 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 forthwith.

Sd/-

**(Ramesh Sinha)
Chief Justice**