



2026:CGHC:9292



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1036 of 2026

Shyam Tandi S/o Matiram Tandi Aged About 35 Years R/o Station Chowk
Kumhari Rupnagar Udiya Basti Ward No. 15 Thana Kumhari District- Durg
(C.G.)

... Applicant

versus

State Of Chhattisgarh Through Police Station- Ganj, District- Raipur (C.G.)

... Respondent

For Applicant : Shri Uttam Pandey, Advocate.

For : Shri Sourabh Sahu, PL.

Respondent/State

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

23/02/2026

- 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.160/2025, registered at Police Station – Ganj, District Raipur (C.G.) for the offence punishable under Section 20 (b) of NDPS Act, 1985 (as per FIR) (wrongly mentioned as 20 (c) in the impugned order).



2. The prosecution story, in brief, is that the police station Ganj received information through rat on 19.06.2025 regarding trafficking of contraband material and after observing mandatory provisions of NDPS Act conducted raid at the place of incidence near Telghani Naka Chowk Maldhakka road Raipur and recovered 9 kg 50 gram contraband material Ganja from the applicant. From co-accused persons Shiva Baghel, 6.40 kg. Nisha Bagga, 4.20 kg. and from Isha Bagga 4kg Ganja were recovered and thus from joint possession total 23.110 kg Ganga were recovered. Thereafter offence under crime 160/2025 came to be registered U/s 20 (c) (as mentioned in the impugned order) came to be registered against the accused persons and chargesheet came to be filed, though in the impugned order section 20 (c) NDPS Act has been mentioned but in FIR section 20 (b) has been mentioned as well as charge sheet has been submitted U/s 20 (b) (ii) (c) of NDPS Act 1985.
3. Learned counsel for the applicant submitted that the applicant was found with contraband article ganja less than commercial quantity and he is in jail since 19/06/2025. He would submit that so far as status of the trial is concerned, out of 12 prosecution witnesses only one prosecution witness has been examined. He would submit that charge sheet has been filed 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 9 kg 50 gram of Ganja has been recovered from the



possession of the applicant, therefore, this bail application is liable to be rejected.

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 Ganja seized from the possession of the applicant i.e. 9 kg 50 gram, which is less than the commercial quantity, charge-sheet has been filed, applicant has no criminal antecedents, he is in jail since 19/06/2025, so far as status of the trial is concerned, out of 12 prosecution witnesses only one prosecution witness has been examined and the conclusion of the trial is likely to take sometime, therefore 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 and it is directed that the Applicant- **Shyam Tandi**, involved in Crime No. 160/2025, registered at Police Station – Ganj, District Raipur (C.G.) for the offence punishable under Section 20 (b) of NDPS Act, 1985 (as per FIR), 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.

(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 forthwith.

Sd/-
(Ramesh Sinha)
Chief Justice