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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 1429 of 2026**

- Jograj Alias Jagraj Singh S/o Ranjit Singh Aged About 25 Years R/o Village Bojpur, Ps Sundargarh, District- Sundargarh (Orissa)

... Applicant(s)**versus**

- State of Chhattisgarh Through Ps Basantpur, District - Balrampur-Ramanujganj (C.G.)

... Respondent(s)**(Cause title is taken from Case Information System)**

For Applicant(s) : Mr. Kamlesh Patel, Advocate

For Respondent(s) : Mr. Sourabh Sahu, Panel Lawyer

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****16/03/2026**

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the applicant who has been arrested in connection with Crime No.137/2025 registered at Police Station Basantpur, District- Balrampur-Ramanujganj (C.G.), for the offence punishable under Sections 20(B)(ii)(C) and 29 of Narcotic Drugs and Psychotropic Substances Act.
2. Case of the prosecution, in brief, is that, On 20.07.2025, the police received secret information from an informer that four persons were



travelling in a Mahendra Bus bearing registration No. UP-17-AT-3835 and were carrying Ganja in their possession. Acting upon the said information, the police intercepted the aforesaid bus and, in accordance with the information received, interrogated the passengers seated on Seat Nos. 7 and 8 and Berth Nos. L-4 and US-3. Upon conducting a search of the said persons and their belongings, the police allegedly recovered 92 packets, each weighing 1 kilogram, totaling 92 kilograms of Ganja. Thereafter, the police initiated the investigation, during the course of which the name of the present applicant surfaced solely in the statements of the co-accused persons. On the basis of the said statements alone, the present applicant was arrested by the police on 30.07.2025, hence, this bail application.

3. Learned counsel for the applicant states that applicant is innocent and has falsely been implicated in the present case. He also submits that no incriminating article, contraband substance or prohibited material has been recovered or seized from the possession of the present applicant. He also submits that applicant is a auto-rickshaw driver and on the date of incident, he was merely carrying passenger in his rickshaw in the ordinary course of his livelihood and he had no knowledge whatsoever about the alleged contraband article (Ganja). It is further contended that there is no material on record to suggest that the applicant had any conscious knowledge, intention or *mens rea* regarding the transportation of the alleged contraband. He also submits that only on the basis of memorandum statement of co-accused, applicant is implicated in the present case. Furthermore, applicant is in jail since 30.07.2025 and trial may take some time for its conclusion, therefore, applicant is not entitled for grant of regular



bail.

4. Learned counsel for the State opposes the bail application of the applicant and submits that charge-sheet has been filed in the present case. He also submits that in compliance of this Court's order dated 10.02.2026, Investigating Officer has filed his personal affidavit in the present case, and relevant paragraphs of the affidavit reads as under:-

“ xxx xxx xxx

8. During the investigation of the case, the name of the present applicant/accused has been surfaced and the involvement of the present applicant has been found in transporting Ganja from Odisha and accordingly applicant/accused was arrested along with auto number OD. 16 M. 5387 was called to the police station (after questioning) and a memorandum statement was taken in front of witnesses, in which he told that co-accused Bablu Gupta, resident of Sundargarh, had given Rs. 9,400 to the present accused and asked him to take the co-accused persons from Sundargarh to Ambikapur with the bags filled with Contraband. Applicant accused was arrested on 30.07.2025 at 12:50 pm and judicial remand was obtained and the seizure of Auto has been done from the present applicant.

9.A notice was issued regarding the vehicle and a reply was sought, to which the vehicle owner i.e. sister of the applicant stated that he had given the auto vehicle to his brother/present applicant through a bond. The seized bus was handed over to the custodian Sanjeev Tripathi on a surrender deed as per the order of the Learned Court below and an acknowledgment was obtained. During the investigation, statements of witnesses were recorded. The whereabouts of the co-accused Bablu Gupta (Odisha), is being searched through Cyber Cell Balrampur and after obtaining permission under Section-193(9) B.N.S.S. to present the charge sheet before the Hon'ble Court by continuing with the investigation. As the investigation in the case is incomplete, the remand period of the arrested accused is over and the crime is well proven against the



arrested accused, charge sheet No. 174/2025 dated 24.12.2025 was prepared, which is presented before the Court. A separate challan is presented against absconding accused Bablu Gupta under section 193 (9) B.N.S.S.

10. It is respectfully submitted that the present applicant/accused is Auto Driver and the material collected after filing of charge sheet under section 193(9) of the BNSS further investigation carried out and account of present accused/applicant has been seized and Rs. 3000/- was shown to be transferred by one co- accused namely Bablu Gupta @ Arun Patra which shows the connection of the present accused with the other co-accused person and the present accused mentioned about the Rs.3000/- amount which was taken by him from co-accused. Copy of the memo with Bank statement dated 24/11/2025 and 02/12/2025 is annexed herewith as Document-A.”

5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties, allegation levelled against the applicant and quantity of contraband article which was seized in the present case i.e., 92 Kgs of Ganja, is more than commercial quantity and the involvement of the present applicant in the matter, as disclosed by the Investigating Officer in his affidavit, reveals that present applicant/accused is Auto Driver and the material collected after filing of charge sheet under section 193(9) of the BNSS further investigation carried out and account of present accused/applicant has been seized and Rs.3000/- was shown to be transferred by one co-accused namely Bablu Gupta @ Arun Patra which shows the connection of the present accused with the other co-accused person and the present accused mentioned about the Rs.3000/- amount which was taken by him from co-accused, as such, I do not find it a



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fit case to release the applicant on bail.

7. Accordingly, instant bail application of the applicant – **Jograj alias Jagraj Singh**, involved in Crime No.137/2025 registered at Police Station Basantpur, District- Balrampur-Ramanujganj (C.G.), for the offence punishable under Sections 20(B)(ii)(C) and 29 of Narcotic Drugs and Psychotropic Substances Act., is rejected.
8. Needless to say that the trial Court concerned is at liberty to proceed and conclude the trial expeditiously.
9. 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**

Vaishali