



2026:CGHC:9293

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

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MCRC No. 1722 of 2026

1 - Nisha Bagga D/o Parmeshwar Bagga, Aged About 26 Years, R/o Bhilai 03, Behind Maszid Gandhi Nagar, Ward No. 24, Thana Bhilai 3, District- Durg (C.G.)

2 - Isha Bagga D/o Parmeshwar Bagga, Aged About 21 Years R/o Bhilai 03, Behind Maszid Gandhi Nagar, Ward No. 24, Thana Bhilai 3, District- Durg (C.G.)

... Applicants

versus

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

... Respondent

For Applicants	: Smt. Smita Jha, Advocate.
For	: Shri Sourabh Sahu, PL.
Respondent/State	

Hon'ble Shri Ramesh Sinha, Chief Justice
Order on Board

23/02/2026

1. The applicants have preferred this First Bail Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular

bail, as they have been arrested in connection with Crime No.160/2025, registered at Police Station – Ganj Thana, District Raipur (C.G.) for the offence punishable under Section 20(b)(ii)(c) of Narcotic Drugs and Psychotropic Substance Act.

2. The prosecution story, in brief, is that on 19.06.2025 a secret information was received from the informant by police of Ganj Thana hence police seized 4.20 kg Cannabis from blue colour pitthu bag of applicant no.1 and 4kg from blue and black colour pitthu bag of applicant no. 2. All 4 accused illegally received about 23.110kg of cannabis kept individually. On the basis of this information, the accused arrested at near Telghani Naka Chowk, Mal Dhakka Road the present applicants were arrested. After completion of usual formalities under the NDPS Act, chargesheet has been filed now.
3. Learned counsel for the applicants submitted that the applicants who are the two real sisters were found with contraband article ganja less than commercial quantity and they are in jail since 19/06/2025. She would submit that so far as status of the trial is concerned, out of 12 prosecution witnesses only one prosecution witness has been examined. She would submit that charge sheet has been filed and the conclusion of the trial is likely to take quite long time. Therefore, she prays for grant of regular bail to the applicants.
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 applicants. It is submitted that 4.20 kg of Ganja has been recovered from the

possession of the applicant No.1 and 4 kg of Ganja has been recovered from the possession of the applicant No.2, 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 applicants i.e. 4.20 kg of Ganja from applicant No.1 and 4 kg of Ganja from applicant No.2, which is less than the commercial quantity, charge-sheet has been filed, applicants have no criminal antecedents, they are 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 applicants are entitled to be released on bail in this case.
7. Accordingly, the bail application is allowed and it is directed that the Applicants- **Nisha Bagga & Isha Bagga**, involved in Crime No.160/2025, registered at Police Station – Ganj Thana, District Raipur (C.G.) for the offence punishable under Section 20(b)(ii)(c) of Narcotic Drugs and Psychotropic Substance Act, be released on bail on each of them furnishing a **personal bond** with **two sureties** in the like sum to the satisfaction of the Court concerned with the following conditions:-

(i) The applicants shall file an undertaking to the effect that they 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 applicants shall remain present before the trial court on each date fixed, either personally or through their counsel. In case of their absence, without sufficient cause, the trial court may proceed against them under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicants misuses the liberty of bail during trial and in order to secure their presence, proclamation under Section 84 of BNSS. is issued and the applicants fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against them, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicants 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 applicants 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 them 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