



2026:CGHC:12756
NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1550 of 2026

Rahul Dhruw Barawe S/o Dhruw Barawe, Aged About 20 Years, R/o Shriram Nagar, Near Adarsh Saraswati Mandir, P.S. Telibandha, Raipur, Chhattisgarh

... Applicant

versus

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

... Non-applicant

For Applicant	: Mr. G.M. Hasan and Mr. Vishal Sahu, Advocates.
For Non-applicant/State	: Mr. Saurabh Sahu, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

17.03.2026

1. The applicant has preferred this First Bail Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Crime No.21/2026, registered at Police Station- Telibandha, Raipur, District Raipur (C.G.) for the offences punishable under Section 20 (B) of the Narcotic Drugs and Psychotropic Substances Act, 1985, for short, the NDPS Act.
2. The prosecution story in brief, is that the concerned police station Telibandha, Raipur, received secret information through the informant that at the time of incident, unknown persons were illegal kept contraband ganja in their possession to sale and police has seized 3.100 kg. contraband ganja from the possession of the applicant at open place and

as a result thereof, police has registered offence punishable under section 20 (B) of the N.D.P.S. against the accused person, only on the basis of memorandum statement, the applicant has been arrested on 18.01.2026.

3. It has been argued by learned counsel for the applicant that the applicant is innocent and has been falsely implicated in the present case. It is further submitted that there is no exclusive possession of the contraband, and the seizure memo has not been duly proved by the prosecution in accordance with the statements of the seizure witnesses. It is also contended that the quantity of the seized contraband ganja is below commercial quantity. Learned counsel further submits that the alleged contraband was not recovered from the conscious possession of the applicant, and that the applicant has been falsely implicated merely on the basis of suspicion arising from the place of occurrence, without proper investigation by the police authorities. It is also submitted that the charge-sheet has been filed in the matter. It is also submitted that the applicant has two previous criminal antecedents, one under the NDPS Act and another under the BNS. It is further submitted that the applicant is in judicial custody since 18.01.2026, and the conclusion of the trial is likely to take a considerable time. Therefore, prayer has been made for grant of bail.
4. On the other hand, learned counsel for the State has opposed the bail application and submitted that a total of 3.100 kg of ganja has been seized from the possession of the applicant, which falls below the commercial quantity. It is further submitted that the charge-sheet has already been filed in the present case. It is also submitted that the applicant has two previous criminal antecedents, one under the NDPS Act and another under the BNS. In view of the same, it is contended that

the bail application of the applicant is liable to be rejected.

5. I have heard learned counsel for the parties and perused the material available on record.
6. Considering the facts and circumstances of the case and further the fact that the quantity of contraband articles total of 3.100 kg of ganja has been seized from the possession of the applicant, which is less than the commercial quantity and the charge-sheet has been filed in this case, further the applicant has one previous criminal antecedent under the NDPS Act which shows that the applicant is a habitual offender and it cannot be said to be a case of false implication and also in light of the judgment rendered by the Supreme Court in ***Deepak Yadav v. State of Uttar Pradesh & Another***, reported in ***(2022) 8 SCC 559***, wherein the Hon'ble Supreme Court had cancelled the bail granted to the accused therein on the ground that the accused had previous antecedents, this Court is of the opinion that it is not a fit case to enlarge the applicant on regular bail.
7. Accordingly, the bail application of applicant – **Rahul Dhruw Barawe** involved in Crime No.21/2026, registered at Police Station- Telibandha, Raipur, District - Raipur (C.G.) for the offences punishable under Section 20 B of the Narcotic Drugs and Psychotropic Substances Act, 1985, for short, the NDPS Act, is **rejected** at this stage.
8. Needless to say that the trial Court concerned is at liberty to proceed and conclude the trial expeditiously.
9. The Office is directed to provide a certified copy of this order to the trial Court for necessary information and compliance forthwith.

Sd/-

(Ramesh Sinha)
Chief Justice