



2026:CGHC:13247

**NAFR**

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**MCRC No. 1845 of 2026**

Chanda Bai Rajput W/o Late Nohar Rajput Aged About 57 Years R/o Laxmi  
Chauk, Chingrajpara, Police Station - Sarkanda, District- Bilaspur (C.G.)  
**...Applicant**

**versus**

State Of Chhattisgarh Through - The Station House Officer, Police Station-  
Sarkanda, District- Bilaspur (C.G.)  
**... Respondent**

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| For Applicant           | : Mr. Paras Mani Shriwas, Advocate. |
| For Non-Applicant/State | : Ms. Palak Dwivedi, Panel Lawyer.  |

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

**19.03.2026**

1. The applicant has preferred this First Bail Application under Section 483 of B.N.S.S. for grant of regular bail, as he has been arrested in connection with Crime No. 137/2026, registered at Police Station - Sarkanda, District - Bilaspur (C.G) for the offence punishable under Section 20(B) of the N.D.P.S. Act.
2. The prosecution case, in brief, is that on 31.01.2026, acting on information received from a reliable informer, the police officials of Police Station Sarkanda, District Bilaspur, proceeded to the spot and

apprehended the present applicant, and upon search, recovered 1.390 kilograms of contraband substance (cannabis/ganja) from her possession, thereafter, following due procedure, the contraband was seized, necessary panchnama was prepared, and a case was registered against the applicant under the relevant provisions of the NDPS Act, and the matter was taken up for investigation.

3. Learned counsel for the applicant submits that applicant has been falsely implicated in the present case. It is submitted *prima facie* no case is made out against her; that although the applicant has one previous antecedent of a similar nature, the same has been wrongly used by the prosecution to implicate her again in the present offence, despite there being no material to connect her with the alleged crime; that no contraband or restricted article has been recovered from the exclusive possession of the applicant and the alleged seizure has been made from a public place (road), thereby ruling out conscious and exclusive possession; that the applicant has been falsely implicated with a *mala fide* intention to shield the real offender; that the mandatory provisions of the NDPS Act have not been complied with during the alleged search and seizure, and there is no independent witness to support the prosecution case; that the quantity of the alleged contraband is less than commercial quantity and the applicant has already remained in custody for about 15 days without any fault; that the applicant is a permanent resident of Laxmi Chowk, Chingrajpara, Police Station Sarkanda, District Bilaspur (C.G.), and there is no likelihood of her absconding or tampering with the prosecution evidence or influencing witnesses; therefore, the applicant

is entitled to be released on bail.

4. On the other hand, learned State Counsel appearing for the State/non-applicant vehemently opposes the bail application and submits that the charge-sheet has already been filed before the competent Court. It is further contended that the applicant has a criminal history of one case under the NDPS Act in Crime No. 994 of 2025, Police Station Sarkanda, District Bilaspur. Learned State Counsel submits that despite earlier involvement in a similar offence, the applicant has continued to indulge in such illegal activities, which clearly indicates her habitual nature. It is argued that the pendency of cases of a similar nature demonstrates a pattern of repeated offences, and if released on bail, there is every likelihood that the applicant may again indulge in such activities or misuse the liberty granted to her. Therefore, considering the gravity of the allegations, the criminal antecedents of the applicant, and the likelihood of repetition of offences, the applicant does not deserve to be enlarged on bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, and also taking into account the fact that one case is pending against the applicant under the N.D.P.S. Act, which clearly indicates that the applicant is a habitual offender, and further, in light of the judgment rendered by the Hon'ble Supreme Court in ***Deepak Yadav v. State of Uttar Pradesh & Another*, (2022) 8 SCC 559**, wherein the Hon'ble Supreme Court cancelled the bail granted to the accused on the ground of having previous criminal antecedents, this Court is of the considered opinion

that the present case does not warrant the grant of regular bail to the applicant.

7. Accordingly, the bail application of the applicant – **Chanda Bai Rajput**, involved in Crime No. 137/2026, registered at Police Station - Sarkanda, District - Bilaspur (C.G) for the offence punishable under Section 20(B) of the N.D.P.S. Act., is **rejected**.

Sd/-  
**(Ramesh Sinha)**  
**Chief Justice**

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