



2026:CGHC:18186

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 1917 of 2026**

Nando Jani S/o Parsu Jani, Aged About 43 Years R/o Village- Noon Pani, P.S. Kodenga, District - Nawarangpur, Orissa.

... Applicant**versus**

The State of Chhattisgarh Through The Station House Officer, Police Station Darbha, Distt. – Bastar, C.G.

... Non-Applicant

For Applicant : Mr. Satish Gupta, Advocate.

For Non-Applicant/State : Ms. Monika Thakur, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****21.04.2026**

1. The applicant has preferred this First Bail Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as she has been arrested in connection with Crime No.62/2022, registered at Police Station – Darbha, District - Bastar (C.G.) for the offence punishable under Sections 20(B)(ii)(C) of NDPS Act.
2. The prosecution's case, in brief, is that on the basis of secret information, the concerned police seized 23 kg 100 grams of ganja from the joint possession of two accused persons while they were travelling on a motorcycle, the registration number of which was not mentioned.
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 submitted that the charge-sheet has already been filed. Counsel further submits that the prosecution's case is based on the joint seizure of contraband (ganja), and that a co-accused, namely Banmali Baghel, has been granted bail by a co-ordinate Bench of this Court vide order dated 19.06.2023 passed in MCRC No. 1073/2023. It is also contended that, out of a total of 18 prosecution witnesses, only 8 witnesses have been examined so far. Additionally, it is submitted that the applicant has no previous criminal antecedents and has been in custody since 04.08.2022. Given that the conclusion of the trial is likely to take a considerable amount of time, it is prayed that the applicant be granted regular bail on the ground of parity.

4. On the other hand, learned counsel for the State opposes the bail application and submits that the charge-sheet has already been filed in the present case and also endorse the fact that the applicant has no previous criminal antecedents. However, she further submits that a total quantity of 23 kg 100 grams of ganja has been seized from the joint possession of the applicant and the co-accused persons, and therefore, the applicant is not entitled to the grant of bail.
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 fact that a co-accused, namely Banmali Baghel, has been granted bail by a co-ordinate Bench of this Court vide order dated 19.06.2023 passed in MCRC No. 1073/2023, further the applicant has no previous criminal antecedents and the applicant is in jail since 04.08.2022, and the conclusion of the trial is likely to take quite long

time, therefore, this Court is of the opinion that the applicant is entitled to be released on bail in this case.

7. Accordingly, the bail application is **allowed**. Let the Applicant- **Nando Jani**, involved in Crime No.62/2022, registered at Police Station – Darbha, District - Bastar (C.G.) for the offence punishable under Sections 20(B)(ii)(C) of NDPS Act, be released on bail on his furnishing a **personal bond** with **two local 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 she 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 her counsel. In case of her absence, without sufficient cause, the trial court may proceed against her 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 her, 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 her in accordance with law.

8. Office is directed to provide a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-
(Ramesh Sinha)
Chief Justice

Preeti