



2026:CGHC:9261



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1848 of 2026

Rajji Kaur W/o Lt. Mukhtar Singh Aged About 50 Years R/o Near Kaushal Furniture, Quarter No. 16, Zone- 03, Khursipar, Bhilai, District Durg (C.G.)

... Applicant

versus

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

... Non-applicant

For Applicant	: Mr. Danish Ahmed Siddiqui, Advocate.
For Non-applicant/State	: Mr. Shailendra Sharma, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

23.02.2026

1. This is the first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 03/2026 registered at Police Station Jamul, District Durg (C.G.) for the offence under Sections 21(b), 27(a) and 8 of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. The prosecution story, in a nutshell, is that on 02.01.2026, on the basis of secret information received by the police of Police Station Jamul regarding the alleged illegal possession and sale of narcotic substances at a rented house situated behind Kurud High School, Dhacha Bhawan, a



raid was conducted in the presence of independent witnesses. During the search, accused Rajji Kaur and her son, Kishan Singh, were found present, and the police allegedly recovered 33.36 grams of heroin (chitta), 281.85 grams of doda, cash amounting to Rs. 8,90,400/-, and three mobile phones from the said premises. The seized articles were weighed, sealed, and taken into custody after preparing the necessary panchnamas, and the accused persons were arrested on the same day. Accordingly, an FIR was registered under Sections 21(b), 27(a), and 8 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Jamul, District Durg (C.G.).

3. It has been argued by the learned counsel for the applicant that the applicant has been falsely implicated in this case. He further submits that the prosecution agency has not followed the provisions of Section 42 of the NDPS Act and did not obtain a search warrant from the superior authority. He further submits that, as per the prosecution, 33.36 grams of heroin (chitta) and 281 grams of doda (poppy straw) were seized from the possession of the present applicant, which are less than the commercial quantity, as the commercial quantity of heroin and doda is 250 grams and 1000 grams, respectively. He also submits that the present applicant has no criminal antecedents and has been in jail since 02.01.2026. As the conclusion of the trial may take some time, he prays for the grant of regular bail to the applicant.
4. On the other hand, learned counsel appearing for the State/non-applicant would oppose the bail application and submit that the charge-sheet has been filed in the present case before the competent.
5. I have heard learned counsel appearing for the parties and perused the case diary.



6. Taking into consideration the facts and circumstances of the case, particularly that, as per the prosecution, 33.36 grams of heroin (chitta) and 281 grams of doda (poppy straw) were seized from the possession of the present applicant, which are less than the commercial quantity prescribed, i.e., 250 grams for heroin and 1000 grams for doda, respectively, and further considering that the charge-sheet has already been filed before the competent Court and that the applicant has been in jail since 02.01.2026, and as the conclusion of the trial may take some time, this Court is of the view that the applicant is entitled to be released on bail in the present case.
7. Let the Applicant - **Rajji Kaur**, involved in Crime No. 03/2026 registered at Police Station Jamul, District Durg (C.G.) for the offence under Sections 21(b), 27(a) and 8 of the Narcotic Drugs and Psychotropic Substances Act, 1985, be released on bail on furnishing **personal bond** with **two 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 her 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 send a certified copy of this order to the trial Court concerned for necessary information and compliance.

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

Abhishek