



2026:CGHC:12759



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1527 of 2026

1. Ramakumar Khande S/o Ramlal Khande Aged About 34 Years R/o Village Sonbarsa, P.S. Balouda, District Janjgir-Champa, C.G.
2. Ajay Diwakar S/o Kamod Diwakar Aged About 28 Years R/o Village Sonbarsa, P.S. Balouda, District Janjgir-Champa, C.G.

--- Applicants

versus

State of Chhattisgarh Through The Police Station Sariya, District Sarangarh-Bilaigarh, C.G.

--- Non-Applicant

MCRC No. 1981 of 2026

Sahodra Dahariya Son Of Santosh Dahariya Aged About 29 Years Caste - Satnami, Resident of Village Amartal Gatepara, Post - Tilai, P.S. - Akaltara, District - Chhattisgarh.

--- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Sariya, District - Sarangarh-Bilaigarh, Chhattisgarh.

--- Non-Applicant

For Applicants (in MCRC No. 1527/2026)	: Mr. Ankit Singh, Advocate.
For Applicant (in MCRC No. 1981/2026)	: Mr. Banhiman Roy, Advocate.
For Non-Applicant/State	: Mr. Shubham Bajpai, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

17.03.2026

1. Since the above-mentioned two bail applications arise out of same crime



number, they are clubbed and heard together and are being disposed of by this common order.

2. These are the **First bail applications** filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicants who have been arrested in connection with Crime No. 08/2026 registered at Police Station - Sariya, District - Sarangarh-Bilaigarh for the offence punishable under Section 20 (B) of Narcotic Drugs and Psychotropic Substance Act, 1985.
3. As per the prosecution story, in brief, 07.01.2026, the police received information from an informant that certain unknown persons were transporting illegal contraband in their vehicle, a Black Pulsor Motorcycle bearing registration No. CG11BG4857. Acting on the said information, the police seized 7.250 kg of contraband ganja from possession of the applicants at the place of incident, prepared the seizure memo, and registered the offence against the applicants for the alleged offence punishable under Section 20(B) of the N.D.P.S. Act thereafter police has been registered case offence under section 20(B) of NDPS ACT.
4. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in that case. They also submits that the alleged contraband Ganja has not been recovered from exclusive possession of the applicants, further, the applicants have no previous criminal antecedents, further the charge-sheet has been filed and they are in jail since 07.01.2026 and 09.02.2026. Hence, they pray for grant of bail.
5. Learned State counsel opposes the bail application and submits that the charge-sheet has already been filed in the present case. He further submits that the contraband article seized from the present applicants is below commercial quantity. It is also submitted that one of the applicants,



namely, Ramkumar Khande, has a previous criminal antecedent under *Istagasa*, whereas the remaining applicants have no prior criminal antecedents.

6. I have heard learned counsel for the State and perused the material available on record.
7. Considering the facts and circumstances of the case, nature and gravity of allegation made against the applicants and the fact that the contraband article which has been seized from the present applicants, is less than the commercial quantity, further one of the applicants, namely, Ramkumar Khande, has a previous criminal antecedent under *Istagasa*, whereas the remaining applicants have no prior criminal antecedents, the charge-sheet has been filed in the present case before the competent Court and the applicants are in jail since 07.01.2026 and 09.02.2026, therefore, this Court is of the view that the applicants are entitled to be released on bail in this case.
8. Accordingly the bail applications are **allowed**. Let the applicant Nos. 1 and 2 – **Ramkumar Khande and Ajay Diwarkar** (MCRC No. 1527/2026), **Sahodra Dahariya** (MCRC No. 1981/2026) involved in Crime No. 08/2026 registered at Police Station - Sariya, District - Sarangarh-Bilaigarh for the offence punishable under Section 20 (B) of Narcotic Drugs and Psychotropic Substance Act, 1985, be released on bail on their furnishing **a personal bond with two sureties each** in the like amount 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 BNS.

(iii) In case, the applicants misuse 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 BNS.

(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 are 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.

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

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