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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1951 of 2026

Lucky @ Chumman Yadav S/o Santosh Yadav Aged About 22 Years R/o Ward No. 06, Dindayal Nagar, Chikhali Chowk O.P. Chikhali, District Rajanadgaon, Chhattisgarh. (Note Police Station Rajnadgaon Is Wrongly Mentioned Insted of District Rajnandgaon)

... Applicant

versus

State of Chhattisgarh Through Station House Officer, Police Station Basna, District Mahasamund, Chhattisgarh.

... Non-applicant

For Applicant	: Mr. Aditya Bharadwaj, Advocate.
For Non-applicant/State	: Ms. Ankita Shukla, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

26.02.2026

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. 171/2025 registered at Police Station Basna, District Mahasamund (C.G.) for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. As per the prosecution story, on 25.04.2025, during vehicle checking, a Swift car bearing registration No. CG-04-PN-1413 was stopped and



searched. Upon questioning the occupants of the said vehicle, the driver disclosed his name as Bhojraj Sinha, the second occupant disclosed his name as Aaditya Meshram, and the third occupant disclosed his name as Lakki alias Chumman Yadav, resident of District Rajnandgaon, Chhattisgarh. According to the case diary, the accused persons were allegedly transporting 19.00 kilograms of a narcotic substance, namely "Ganja," valued at Rs. 3,80,000/-, which was kept inside two white plastic bags in the rear dickey (boot) of the Swift car, in their joint possession.

3. It has been argued by learned counsel for the applicant that the applicant has been falsely implicated in this case. He further submits that prosecution agency has not followed the provisions under Section 42 of the NDPS Act and not taken search warrant from the superior authority. He also submits that the present applicant has no criminal antecedents. He further submits that the co-accused person, namely, Aaditya Meshram and Bhojraj Sinha have already been granted regular bail by this Court in MCRC No. 642 of 2026 and MCRC No. 348 of 2026, vide orders dated 19.01.2026 and 28.01.2026, hence the applicant is also entitled to be released on bail on the ground of parity.
4. On the other hand, learned State counsel would oppose the bail application and submit that the charge-sheet has been filed in the present case before the competent Court.
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 as the co-accused person, Aaditya Meshram and Bhojraj Sinha have already been granted regular bail by this Court in MCRC No. 642 of 2026 and



MCRC No. 348 of 2026, vide orders dated 19.01.2026 and 28.01.2026, moreover, the charge-sheet has already been submitted before the competent Court in the present case, therefore, this Court is of the considered view that the present applicant is also entitled to be grant regular bail on the ground of parity in this Case.

7. Let the Applicant – **Lucky @ Chumman Yadav**, involved in Crime No. 171/2025 registered at Police Station Basna, District Mahasamund (C.G.) for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985, be released on bail on his 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 he 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 his counsel. In case of his absence, without sufficient cause, the trial court may proceed against him 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 him, in accordance with law, under



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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 him 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 forthwith.

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

Abhishek