



2026:CGHC:18477

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2311 of 2026

1 - Atul Yadav S/o Murari Lal Yadav Aged About 24 Years R/o Village Bhatko, P/s Batouli, District Sarguja, Chhattisgarh.

2 - Sugrit @ Pintu Yadav S/o Ram Ji Yadav Aged About 20 Years R/o Village Murtadand, P/s Batouli, District Sarguja, Chhattisgarh.

... **Applicant**

versus

State of Chhattisgarh Through The Station House Officer, Police Station Basantpur, District Balrampur-Ramanujganj, Chhattisgarh.

... **Non-applicant**

For Applicants	: Ms. Hamida Siddiqui, Advocate
For Non-applicant/State	: Mr. Shubham Bajpai, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

22.04.2026

1. This is the **Second Bail Application** filed under Section 483 of the BNSS, 2023 for grant of regular bail to the applicants who have been arrested in connection with Crime No. 193/2025 registered at Police Station- Basantpur, District Balrampur-Ramanujganj, (C.G.) for the offence punishable under Sections 21(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. The earlier bail application of the applicants being MCRC No.

567/2026 was rejected by this Court vide order dated 16.01.2026 on merits.

- 3.** Case of the prosecution, in brief, is that on 16.10.2025, the Assistant Sub-Inspector of Police Outpost Wadrafnagar received a secret information that three individuals were transporting Codext-R cough syrup, a psychotropic substance, in a white Innova Crysta bearing registration No. UP 70 ED 7182. The said information was duly recorded in the daily diary, pursuant to which the police party, along with independent witnesses, proceeded to Wadrafnagar Main Road and intercepted the said vehicle. Upon obtaining consent of the occupants, the vehicle was searched on the spot, and during the course of search, 5 cartons containing a total of 495 vials (100 ml each) of Codext-R cough syrup were allegedly recovered, out of which 195 vials were recovered from the possession of Nageshwar Yadav, 200 vials from Atul Yadav, and 100 vials from Sugreev @ Pintu Yadav. Thereafter, the applicants were arrested and an FIR was registered on 16.10.2025 for the offences punishable under Sections 21(c) and 29 of the NDPS Act.
- 4.** Learned counsel for the applicants submits that this is the second bail application, the earlier bail application of the applicants were rejected by this Hon'ble Court on merit. She further submits that similarly situated co-accused, namely, Rajkumar Yadav @ Raju has already been granted bail by this Hon'ble Court vide order dated 30.01.2026 in MCRC No. 9889/2025. She also submits that the applicants have no previous criminal antecedents and are in jail

since 16.10.2025 and so far as the status of the trial is concerned, out of 18 prosecution witnesses, only two prosecution witnesses have been examined and have turned hostile and not supported the case of the prosecution, the charge-sheet has been filed and the trial is likely to take some time for its conclusion. Therefore, she prays for grant of bail to the applicant on the ground of parity.

5. On the other hand, learned counsel for the State opposes the bail application of the applicants and submits that the charge-sheet has been filed before the competent Court, but could not dispute the fact that co-accused persons have already been granted bail by this Hon'ble Court and the case of the present applicant is identical to that of the co-accused.
6. I have heard learned counsel appearing for the parties and perused the case diary.
7. Taking into consideration the facts and circumstances of the case and also considering the fact that this is the second bail application and the earlier bail application of the applicants were rejected on merits, further the fact that though the present applicants along with other co-accused persons involved in the said crime, but one of the co-accused, namely, Rajkumar Yadav @ Raju has already been granted bail by this Court vide order dated 30.01.2026 in MCRC No. 9889/2025, and the case of present applicant is identical to that of the co-accused person, further the applicants have no previous criminal antecedents and are in jail since 16.10.2025 and so far as the status of the trial is concerned, out of 18 prosecution witnesses,

only 02 prosecution witnesses have been examined and not supported the case and have turned hostile, the charge-sheet has been filed, the conclusion of the trial will take some more time, therefore, this Court is of the considered view that the applicants are entitled to be released on bail in this case on the ground of parity.

8. Accordingly, the second bail application of the applicants is **allowed**. Let the Applicants – **Atul Yadav** and **Sugrit @ Pintu Yadav**, involved in Crime No. 193/2025 registered at Police Station- Basantpur, District Balrampur-Ramanujganj, (C.G.) for the offence punishable under Sections 21(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, be released on bail on furnishing **personal bond** with **two sureties each** in the like sum 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 Bharatiya Nyaya Sanhita.

(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 fail 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 the Bharatiya Nyaya Sanhita.

(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 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 them in accordance with law.

9. However, this Court hopes and trusts that the trial Court shall make an earnest endeavour to conclude the trial as expeditiously as possible within a period of **six months** from the receipt of a certified copy of this order in accordance with law, if there is no legal impediment.
10. 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