



2026:CGHC:17875  
NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR**  
**MCRC No. 2124 of 2026**

Sahil Masih S/o Prakash Masih Aged About 21 Years R/o Ward No. 16,  
Near Bhawani Mandir, Balco (Wrongly Written As Korba) Police Station  
Balco, District- Korba (C.G.)

... Applicant

**versus**

State Of Chhattisgarh Through The Station House Officer, Police  
Station Baloda, District- Mahasamund (C.G.)

... Respondent

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For Applicant : Mr. Ajay Kumar Chandra, Advocate  
For State/ Respondent : Mr. Shubham Bajpai, Panel Lawyer

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**Hon'ble Shri Ramesh Sinha, Chief Justice**

**Order on Board**

**20.04.2026**

1. The applicant has preferred this First Bail Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 10/2026, registered at Police Station – Baloda, District – Mahasamund (C.G.) for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985, for short, the NDPS Act.
2. The prosecution story, in brief, is that on 30.01.2026, the police received reliable secret information that two persons were coming from the Odisha side on a black-coloured motorcycle bearing registration No. CG-12/BU-7253, allegedly carrying contraband



substance; acting upon the said information, the police conducted a naka/raid at Forest Naka, Sirpur, and intercepted the said vehicle on which the present applicant along with a co-accused was found travelling, and upon search of the vehicle and the accused persons a total quantity of 09 kilograms of contraband ganja was allegedly recovered from their joint possession. Hence, the present bail application.

3. Learned counsel for the applicant submits 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. It is further contended that the quantity of ganja allegedly seized from the possession of the applicant is 09 kilograms, which falls below the commercial quantity as prescribed under the NDPS Act, and therefore, the rigours of Section 37 of the NDPS Act are not attracted. It is also submitted that the applicant has no criminal antecedents, is in custody since 30.01.2026, and the conclusion of trial is likely to take considerable time. Therefore, he prays for grant of regular bail to the applicant.
4. Per contra, learned counsel for the State opposes the bail application and submits that a total quantity of 09 kilograms of ganja has been recovered from the possession of the applicant and, therefore, this bail application is liable to be rejected.
5. I have heard learned counsel for the parties and perused the material available on record.
6. Considering the submissions advanced by learned counsel for the



parties, particularly the fact that the quantity of ganja allegedly seized from the possession of the applicant is 09 kilograms, which is less than the commercial quantity, the applicant has no criminal antecedents; and also looking to the period of detention that he is in judicial custody since 30.01.2026. The trial is likely to take some time for its conclusion, therefore, this Court is of the considered opinion that the applicant is entitled to be released on bail.

7. Accordingly, the bail application is **allowed**. Let the applicant – **Sahil Masih** involved Crime No. 10/2026, registered at Police Station – Baloda, 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 their furnishing **a 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 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 provide a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

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