



2026:CGHC:17266

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1965 of 2026

Mohammad Rasool Baba S/o Mohammad Pasha Aged About 23 Years, R/o 1-70 Vellugomulla Mandal Midjil Thana Midjil District- Mahbubnagar, Telangana
Present Add. Thana Achmpet District- Nagarkurnool Telangana

... Applicant

versus

State of C.G. Through P.S. Konta, District - Sukuma C.G.

... Non-Applicant

For Applicant	: Mr. Vikas Shrivastava, Advocate.
For Non-Applicant/State	: Mr. Shubham Bajpai, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

15.04.2026

- 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. 39/2025, registered at Police Station – Konta, District - Sukuma (C.G.) for the offence punishable under Sections 20(B)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985, for short, the NDPS Act.
- As per the prosecution story, on 04/11/2025, it is stated that ASI of P.S. Konta received secret information that two individuals were standing near the border of Chhattisgarh and Andhra Pradesh and were waiting to board a bus travelling from Konta to Hyderabad. Upon receiving the said

information, and after following the mandatory procedures prescribed under the NDPS Act, the police officials of P.S. Konta apprehended the present applicant along with a co-accused person. They were found to be in unlawful possession of Ganja weighing 16.300 kilograms.

3. It has been argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case. It is further submitted that the charge-sheet has been filed and there is no previous criminal antecedents of the applicant and he is in jail since 04.11.2025 and the conclusion of the trial is likely to take quite long time. Therefore, he prays for grant of regular bail to the applicant.
4. On the other hand, the learned counsel for the State opposes the bail application and submits that the charge-sheet has been filed. He further submits that a total quantity of alleged contraband substance which has been recovered from the possession of the applicant, is less than the commercial quantity and also endorse the fact that the applicant has no previous criminal antecedents.
5. I have heard learned counsel for the parties and perused the material available on record.
6. After hearing the submissions advanced by learned counsel for the parties as well as considering the quantity of alleged contraband substance which has been recovered from the possession of the applicant, is less than the commercial quantity, also considering the fact that charge-sheet has been filed and there is no previous criminal antecedents, further, that the applicant is in jail since 04.11.2025 and the conclusion of the trial is likely to take sometime, I am of the opinion that the applicant is entitled to be released on bail in this case.

7. Accordingly, the bail application is **allowed**. Let applicant - **Mohammad Rasool Baba** involved in Crime No. 39/2025, registered at Police Station – Konta, District - Sukuma (C.G.) for the offence punishable under Sections 20(B)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985, for short, the NDPS Act, be released on bail on her furnishing **a personal bond with two local 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 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 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**

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