



2026:CGHC:13237



2026:CGHC:13271

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 2368 of 2026**

- Raju Singh S/o Late Sultan Singh, Aged About 45 Years R/o Village And Post Haripura Osian (Wrongly Mentioned Osiya In The First Bail Rejection Order) Police Station Osian District- Jodhpur (Rajasthan)

... Applicant(s)**versus**

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

... Respondent(s)

For Applicant(s) : Mr. Vikash Pandey, Advocate

For Respondent(s) : Ms. Smriti Shrivastava, Panel Lawyer

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****19.03.2025**

1. This is the third bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 107/2025 registered at Police Station - Basantpur, District - Balrampur-Ramanujganj (C.G.) for the offences punishable under Sections 15(c), 25 and 29 of Narcotic Drugs and Psychotropic Substance Act, 1985, for short NDPS
2. Earlier the first bail application was dismissed on merits in MCRC No.7230 of 2025 vide order dated 22.09.2025, thereafter applicant has filed his second bail application and same was also rejected in MCRC No.205 of 2026 vide order dated 09.01.2026.



3. Case of the prosecution, in brief, is that on 07-06-2025, when the Police person of Police Station Basantpur were on night patrolling received information that near RTO Barrier, one truck bearing Registration Number RJ- 19/GJ-7447 is parked by the driver of the said truck and the driver went away and the contraband Doda is load in the said truck, upon reaching the spot the police authorities as per the provision of NDPS act search the vehicle and found out that the total 90 bags of Doda weighing about 14 quintal 44 KG worth of Rs. 1,30,00,000/- from the said truck, upon which the police made seizure of the said truck and also the Doda and registered the offences as mentioned above against the owner and driver of the said truck. During the investigation, the present applicant has been arrested from the Jodhpur being the owner of the said truck.
4. It has been argued by learned counsel for the applicant that the applicant is innocent and falsely implicated in this case. It is further submitted by the learned counsel for the applicant that this is the third bail application of the applicant. His earlier two bail applications were dismissed. He further submitted that the third bail application filed only on the ground that applicant is a kidney patient, who is suffering from Nephrotic Syndrome with primary Membranous Nephropathy and presently, he is undergoing treatment in Raipur and he needs prolonged treatments and regular follow-ups under a Nephrologist. Copy of the medical papers under the RTI are collectively enclosed and marked herewith as Annexure A-6. He also submits that applicant is languishing in jail since 24.06.2025 and trial has not yet concluded. Further, the charge-sheet has already been filed and the applicant has no criminal antecedents. Therefore, he prays for grant of regular bail to the applicant.



5. On the other hand, learned counsel appearing for the State/non-applicant opposes the bail application and submits that applicant is a resident of the State of Rajasthan and the charge-sheet has already been filed. She further submits that in compliance of this Court's order dated 13.03.2026, she submits the report from Jail Superintended of Central Jail, Raipur before this Court, which clearly shows that applicant is suffering from kidney ailments and presently, he is undergoing treatment in Raipur .
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 the fact that this is the third bail application of the applicant, his earlier two bail applications were dismissed, further the report submitted by learned counsel for the State, which clearly shows that applicant is suffering from kidney ailments and the applicant is languishing in jail since 24.06.2025 and trial has not yet concluded. Further, the charge-sheet has already been filed, hence, this Court is of the view that the applicant is entitled to be released on bail in this case
8. Accordingly, the third bail application of the applicant is allowed. Let the applicant – **Raju Singh**, involved in Crime No.107/2025 registered at Police Station - Basantpur, District - Balrampur-Ramanujganj (C.G.) for the offences punishable under Sections 15(c), 25 and 29 of Narcotic Drugs and Psychotropic Substance Act, 1985, for short NDPS, be released on bail on their furnishing **personal bond** with **two local sureties**, out of which one of the them should be a family member in the like sum to the satisfaction of the Court concerned with the following conditions:-



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(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 229-A of the Indian Penal Code.

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence, proclamation under Section 82 Cr.P.C. 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 174-A of the Indian Penal Code.

(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 313 Cr.P.C. 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 for necessary information and compliance forthwith.

Sd/-

(Ramesh Sinha)
Chief Justice

Vaishali