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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2174 of 2026

Omprakash Alias Golu Ratre S/o Late Banshilal Ratre, Aged About 23 Years R/o. Ward No. 7 Lakholi, PS And Tehsil Mandirhasaud, District Raipur C.G.

... Applicant

versus

State Of Chhattisgarh Through Police Station Tumgaon, District Mahasamund C.G.

... Respondent

For Applicant : Shri Shubhank Tiwari, Advocate.

For : Ms. Palak Dwivedi, PL.

Respondent/State

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

21/04/2026

- 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.19/2026, registered at Police Station –Tumgaon, District



Mahasamund (C.G.) for the offence punishable under Section 20 (B) of the Narcotics Drugs and Psychotropic Substances Act, 1985.

2. The prosecution story, in brief, is that after getting the secret information, the raid was performed and total 04 Kilogram 930 Gram of contraband i.e. Ganja was seized from the possession of the co-accused person namely Yogendra Yadav & Sagar Dhivar. After recoding the Memorandum statement of co-accused person, the present applicant was made accused. In the Memorandum statement, the co-accused person have stated that it was present applicant who has given money to bring Ganja from State of Orrisa from one Ghasiya Sahu and given them his TVS Jupiter Scooty. It was also alleged that co-accused person were not having any document related to possession of contraband (Ganja).
3. It has been argued by the learned counsel for the applicant that no seizure of any contraband was made from the possession of the applicant wheres the seizure of contraband article Ganja 04 Kilogram 930 Gram was made from the possession of the co-accused which was less than commercial quantity. It is further submitted that the applicant has two previous criminal antecedents which has been disposed of, he is in jail since 16/01/2026 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, learned counsel for the State opposes the bail application and submits that the charge-sheet has been filed in the present case. She would submit that allegation against the applicant is that he gave Rs.40,000 to co-accused Yogendra Yadav and Sagar Dheewar for the purpose of procuring and transporting 4.930 kilograms of contraband cannabis (ganja), which was purchased from another accused, Ghasiya Sahu. She would submit that seizure of contraband article ganja 4.930 kilograms was made from the possession of the co-accused which was less than commercial quantity. She would submit that considering the allegation against the applicant, he is not entitled for grant of bail.
5. I have heard learned counsel for the parties and perused the material available on record.
6. Considering the facts and circumstances of the case, submission of learned counsel for the parties, materials available on record, allegation against the applicant is that he gave money to co-accused persons for the purpose of procuring and transporting contraband article ganja, considering the fact that no seizure of any contraband was made from the possession of the applicant whereas the seizure of contraband article Ganja 4.930 kilograms was made from the possession of the co-accused which was less than commercial quantity, also considering the fact that charge-



sheet has been filed, further the applicant is in jail since 16/01/2026 and the conclusion of the trial is likely to take sometime, therefore 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 and it is directed that the Applicant- **Omprakash Alias Golu Ratre**, involved in Crime No.19/2026, registered at Police Station –Tumgaon, District Mahasamund (C.G.) for the offence punishable under Section 20 (B) of the Narcotics Drugs and Psychotropic Substances Act, 1985, be released on bail on his 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



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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 send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-
(Ramesh Sinha)
Chief Justice