



2026:CGHC:18717



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2519 of 2026

N. Subhash S/o N. Anand Aged About 38 Years R/o Saintala District
Balangir (Odisha) **... Applicant**

versus

State Of Chhattisgarh Through The Police Station Devendra Nagar
District Raipur Chhattisgarh

... Respondent

For Applicant	: Shri Pravin Kumar Tulsyan, Advocate.
For	: Ms. Sameeksha Gupta, PL.
Respondent/State	

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

23/04/2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the applicant who has been arrested in connection with Crime No.304/2024 registered at Police Station Devendra Nagar District Raipur (C.G.) for the offence punishable



under Section 20 (b)(ii)(c) of Narcotic Drugs And Psychotropic Substances Acts.

2. Case of the prosecution, in brief, is that the police have recovered a total of 50.100 Kg of cannabis (Ganja) from the possession of the present applicant and other co-accused. The Police have arrested the accused and after due investigation filed the charge sheet. Hence this bail application.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated and has not committed any offence as alleged. He would submit that the prosecution has failed to comply with the mandatory provisions of law, including Sections 41, 42, 50, and 52A of the NDPS Act. It is further submitted that the alleged seized quantity of ganja from the possession of the applicant is below commercial quantity, and there is no evidence of sale or purchase of contraband. He would submit that out of total 13 prosecution witnesses, 6 prosecution witnesses have been examined. He would submit that the applicant is also suffering from mental health issues requiring proper medical treatment, which is not adequately available in custody. He would submit that charge sheet has been filed, applicant is in custody since 14.09.2024 and conclusion of the trial may take quite long time. Accordingly, he prays for enlarging the applicant on regular bail.
4. Learned counsel appearing for the State/respondent would oppose the bail application and submit that the charge-sheet has been filed in the present case before the competent Court. She



has further pointed out that the medical ailment of the applicant is stated to be normal and under control. She would submit that the quantity of contraband article i.e. 50.100 kg Ganja has been recovered from the joint possession of the applicant & co-accused, which is above the commercial quantity & bail application of the co-accused namely Shankar Chhatria has been rejected by this Court on 17/03/2026, as such, the applicant is also not entitled to be released on bail.

5. I have heard learned counsel appearing for the parties and perused the case diary.
6. From perusal of the case diary, it transpires that the contraband article i.e. 50.100 kg Ganja which has been seized from the joint possession of the applicant & co-accused is above the commercial quantity, further the applicant has failed to give explanation for the same and it cannot be a case of false implication, the trial is in progress and also considering the fact that bail application of the co-accused namely Shankar Chhatria has been rejected by this Court on 17/03/2026, therefore this court is not inclined to grant bail to the applicant.
7. Accordingly, the bail application of the applicant **N. Subhash**, involved in Crime No.304/2024 registered at Police Station Devendra Nagar District Raipur (C.G.) for the offence punishable under Section 20 (b)(ii)(c) of Narcotic Drugs And Psychotropic Substances Acts, is **rejected**.



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