



2026:CGHC:19147



2026:CGHC:19147

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2675 of 2026

1 - Rajkumar Thakur S/o Late Balbeer Thakur, Aged About 42 Years R/o Old Sarkanda, Lodhipara P.S. Sarkanda, District- Bilaspur Chhattisgarh

2 - Sarju Shrivastava S/o Manharan Shrivastava, Aged About 45 Years R/o Koni Ward No. 06, P.S. Koni District- Bilaspur Chhattisgarh

... Applicants

versus

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

... Respondent

For Applicants : Shri Sudhir Kumar Sahu, Advocate.

For : Smt. Smriti Shrivastava, PL.

Respondent/State

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

25/04/2026

- The applicants have preferred this First Bail Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as they have been arrested in connection with Crime No. 89/2025,



registered at Police Station – Singhoda District- Mahasamund (C.G.) for the offence punishable under Section 20(B) II B of the N.D.P.S. Act.

2. The prosecution story, in brief, is that the concerned police station Singhoda received secret information through the informant that on the date of incident i.e. 30.11.2025, unknown persons have kept illegal contraband ganja in their hero Honda motorcycle vehicle to sale and police has seized 10 kg. from place of incident N.H. 53 Road village Rehatikhol at open place and as a result thereof, police has registered offence of the publishable under section 20(B) II B N.D.P.S. Act against the applicants.
3. It has been argued by the learned counsel for the applicants that the applicants are innocent and have been falsely implicated in this case. It is submitted that the charge-sheet has been filed in this case. It is also submitted that from the joint possession of the applicants intermediate quantity of the psychotropic substance ganja has been seized, and therefore, it will not attract the rigors of Section 37 of the NDPS Act as the commercial quantity of ganja as prescribed under the schedule is more than 20 kgs and from the joint possession of the applicants only 10 Kgs of Ganja has been seized. It is further submitted that the applicants are in jail since 30/11/2025 and the conclusion of the trial is likely to take quite long time. Therefore, he prays for grant of regular bail to the applicants.
4. On the other hand, the learned counsel for the State opposes the bail application and submits that the charge-sheet has been filed in the



present case and there is no criminal antecedents of the applicants. It is submitted that a total of 10 Kgs of Ganja has been recovered from the joint possession of the applicants, 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. After hearing the submissions advanced by learned counsel for the parties as well as considering the quantity of Ganja seized from the joint possession of the applicants i.e. a total of 10 Kgs, which is less than the commercial quantity, also considering the fact that charge-sheet has been filed, applicants have no criminal antecedents, further that the applicants are in jail since 30/11/2025 and also considering the fact that conclusion of the trial is likely to take sometime, therefore I am of the opinion that the applicants are entitled to be released on bail in this case.
7. Accordingly, the bail application is allowed and it is directed that the Applicants- **Rajkumar Thakur & Sarju Shrivastava**, involved in Crime No. 89/2025, registered at Police Station – Singhoda District-Mahasamund (C.G.) for the offence punishable under Section 20(B) II B of the N.D.P.S. Act, be released on bail on each of them furnishing a **personal bond** with **two sureties** in the like sum to the satisfaction of the Court concerned with the following conditions:-

(i) The applicants shall file an undertaking to the effect that they 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 applicants shall remain present before the trial court on each date fixed, either personally or through their counsel. In case of their absence, without sufficient cause, the trial court may proceed against them under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicants misuses the liberty of bail during trial and in order to secure their 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 them, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicants 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 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.

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