



2026:CGHC:15097



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2889 of 2026

Divesh Pandey S/o Late Gajendra Pandey, Aged About 37 Years R/o
Pallichakva Brahman Para Chowki Ghotiya District- Bastar (C.G.)

... Applicant

versus

State Of Chhattisgarh Through P.S. Kotwali Jagdalpur District- Bastar
(C.G.)

... Non-Applicant

For Applicant : Mr. Vikash A. Shrivastava, Advocate.

For Non-Applicant/State : Ms. Monika Thakur, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

01.04.2026

1. This is the **second bail application** filed under Section 483 of the BNSS for grant of regular bail to the applicant who has been arrested in connection with Crime No. 460/2023 registered at Police Station - Kotwali Jagdalpur District- Bastar, (C.G.), for the offence punishable under Section 21(C) of Narcotic Drugs and Psychotropic Substances Act.
2. The earlier bail application of the applicant being MCRC No. 8744 of 2024 was rejected by this Court vide order dated 16.12.2024 on merits.



3. Case of the prosecution, in brief, is that as per secret information received from the informant, the Police of Police Station Kotwali Jagdalpur District- Bastar (C.G.) seized the contraband article i.e. *1800 pieces of alprazolam tablet ip 0.5 mg alpracan* from the possession of the applicant, thereafter, aforesaid offence has been registered against the applicant and subsequently, he was arrested.
4. Learned counsel for the applicant submits that this is the second bail application of the applicant and the earlier bail application of the applicant being MCRC No. 8744 of 2024 was rejected by this Court vide order dated 16.12.2024 on merits. He further submits that the applicant is in jail since 30.11.2023. He also submits that as per the status of the trial, out of 12 prosecution witnesses only 06 have been examined before the trial Court and not supported the case of the prosecution and have turned hostile. Hence, he prays for grant of bail to the applicant.
5. On the other hand, learned State counsel opposes the bail application of the present applicant.
6. I have heard learned counsel appearing for the parties and perused the case diary.
7. From the perusal of the record, it transpires that the earlier bail application of the applicant being MCRC No. 8744 of 2024 was rejected by this Court vide order dated 16.12.2024 on merits and the new ground for filing of the second bail application is that the applicant is in jail since 30.11.2023 and as per the status of the trial,



out of 12 prosecution witnesses 06 have been examined before the trial Court and not supported the case of the prosecution and have turned hostile, the same cannot be a ground for releasing the applicant on bail. Hence, this second bail application of the present applicant is **rejected**.

8. Accordingly, the bail application of the applicants – **Divesh Pandey**, involved in Crime No. 460/2023 registered at Police Station - Kotwali Jagdalpur District- Bastar, (C.G.), for the offence punishable under Section 21(C) of Narcotic Drugs and Psychotropic Substances Act, is **rejected**.
9. Needless to say that the trial Court concerned is at liberty to proceed and conclude the trial expeditiously.
10. 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

Rahul Dewangan