



2026:CGHC:13806



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 2693 of 2026**

Jaikishan Sut @ Deepak Sarthi S/o Rajkumar Sarthi Aged About 22
Years R/o Gidhauri, Police Station Ratanpur, District- Bilaspur (C.G.)

... Applicant**versus**

State of Chhattisgarh Through P.S. Ratanpur, District- Bilaspur (C.G.)

... Non-applicant

For Applicant	:	Ms. Yogisha Singh Rajput, Advocate
For Non-applicant/State	:	Ms. Sameeksha Gupta, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****23.03.2026**

1. This is the first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 42/2026 registered at Police Station Ratanpur, District- Bilaspur, (C.G.) for the offence under Sections 20(b) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. Case of the prosecution, in brief is that on 18.01.2026, on the basis of secret information received from an informer (mukhbir), the police of Police Station Ratanpur recorded the said information in the Roznamcha Sanha to the effect that three persons were coming



from Jali–Nevrasa Road within the jurisdiction of Police Station Ratanpur and were allegedly carrying a narcotic substance in their possession. Acting upon the said information, the police proceeded to the indicated spot, cordoned off the area, and conducted a search and raid in accordance with the provisions of the NDPS Act. During the said raid, the police allegedly recovered 14 packets of Ganja, wrapped with brown plastic tape and kept inside a white-coloured plastic bag, weighing in total 14.336 kilograms and having an estimated value of Rs. 1,40,000/-, from the possession of co-accused Kushal Nirmalkar. It is further alleged that a motorcycle bearing registration No. CG-10-CA-1723 (Passion Pro), along with its keys, stated to have been used in the commission of the alleged offence, was seized from the possession of the present applicant/accused, valued at approximately Rs. 40,000/-. The prosecution further alleges that, in the memorandum statements of the accused persons, it was stated that they were involved in the sale and transportation of the said narcotic substance in connivance with co-accused Ashish Kashyap, whereupon an offence under Sections 20(b) and 29 of the NDPS Act was registered at Police Station Ratanpur bearing Crime No. 42/2026. On the basis of the aforesaid alleged recovery, the accused persons, including the present applicant, were arrested, and the matter was taken up for investigation, the applicant/accused was arrested on 18.01.2026 and has been in judicial custody since then, hence this bail application.



3. Learned counsel for the applicant submits that the present applicant is innocent and has been falsely implicated in the present case. She further submits that the said contraband article was not seized from the possession of the present applicant and other co-accused person. She also submits that prosecution agency has not followed the provisions under Section 42 of the NDPS Act. She further submits that the applicant has no criminal antecedents, the charge-sheet has been submitted before the competent Court, and he is in jail since 18.01.2026 and conclusion of the trial is likely to take quite long time. Therefore, she prays for grant of regular bail to the applicant.
4. On the other hand, learned State counsel opposes the bail application of the present applicant and submits that the charge-sheet has been filed in the present case before the competent Court and also endorse the submission made by the learned counsel for the applicant. She further submits that from the joint possession of the present applicant and two other co-accused the contraband article *i.e. 14.336 Kgs of Ganja worth about Rs. 1,40,000/-* were seized, therefore, the present applicant is not entitled for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case that the contraband article *i.e. 14.336 Kgs of Ganja worth about Rs. 1,40,000/-* were seized from the joint possession of the present applicant and two other co-accused, is less than commercial



quantity and further the fact that the present applicant has no criminal antecedents, in the present bail application the charge-sheet has been filed before the competent Court and he is in jail since 18.01.2026 and conclusion of the trial may take some time, therefore, this Court is of the view that the applicant is entitled to be released on bail in this case.

7. Accordingly, the bail application of the applicant is **allowed**. Let the Applicant – **Jaikishan Sut @ Deepak Sarthi**, involved in Crime No. 42/2026 registered at Police Station Ratanpur, District-Bilaspur, (C.G.) for the offence under Sections 20(b) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, be released on bail on furnishing **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 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

Rahul Dewangan