



2026:CGHC:15098



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2887 of 2026

Balram Sahu S/o Late Devnarayan Sahu Aged About 24 Years R/o Bargudi Para, P.S. Arang, District Raipur Chhattisgarh.

... Applicant

versus

State of Chhattisgarh Through Station House Officer, Police Station Arang Raipur, District Raipur Chhattisgarh.

... Non-applicant

For Applicant	: Mr. Vinod Kumar Dewangan, Advocate
For Non-applicant/State	: Ms. Monika Thakur, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

01.04.2026

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. 193/2025 registered at Police Station- Arang Raipur, District Raipur (C.G.), for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. According to the prosecution, on 16.04.2025, the police of Police Station Arang, District Raipur, registered an FIR bearing Crime No. 193/2025 for the offences punishable under Section 20(b) of the



NDPS Act against the present applicant and other co-accused persons. It is alleged that the applicant, along with other co-accused persons, was involved in a criminal conspiracy for the sale of a narcotic substance (ganja). Acting on certain information, the police allegedly seized 30 kilograms of ganja, which is stated to be more than the commercial quantity. The applicant was arrested on 16.04.2025, produced before the Court, and thereafter sent to judicial custody in Central Jail, Raipur.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case and has no nexus whatsoever with the alleged incident as narrated by the prosecution. It is further submitted that there are in total three accused persons and even as per the prosecution case, if the seized contraband is apportioned, only a small quantity would be attributable to the present applicant. He further submits that there is no exclusive possession of the alleged contraband proved against the applicant and the seizure memo has not been duly supported by independent witnesses. Moreover, the mandatory provisions of the NDPS Act, particularly Section 42, have not been complied with and the investigation has not been conducted in a fair and proper manner. It is also submitted that no contraband has been recovered from the conscious possession of the applicant only mobile phone has been recovered from him and he has been implicated merely on suspicion without any cogent or reliable evidence. He also submits that the allegations against the applicant are false and fabricated, and there is no clinching or dependable material available on record



to connect him with the alleged offence. He also submits that the present applicant has no any criminal antecedents, the charge-sheet has been submitted before the competent Court and he is in jail since 16.04.2025 and has undergone more than eleven months of detention and the conclusion of the trial may take some time, therefore, he prays for grant of regular bail to the present applicant.

4. On the other hand, learned State counsel opposes the bail application of the present applicant and submits that the quantity of contraband article *i.e.* 30 kgs of Ganja from the joint possession of the present applicant along with co-accused person, which is much above the commercial quantity. She further submits that the bail application of the co-accused, namely, Tushar Dewangan, has already been rejected by this Court in MCRC No. 2785/2026 vide order dated 25.03.2026, and therefore, the gravity of the offence under the NDPS Act involving commercial quantity, the present 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. Considering the facts and circumstances of the case, particularly the nature and gravity of the offence, this Court finds that a huge quantity of contraband, *i.e.*, 30 kg of ganja, which is much above the commercial quantity, has been seized in the present crime. Though no contraband has been recovered from the possession of the present applicant and only mobile phone has been recovered from him, but the manner in which the contraband was procured and intended to be sold *prima facie* indicates an organised and



systematic activity, falling within the ambit of organised narcotic crime. Further takes note of the fact that the bail application of the co-accused, namely, Tushar Dewangan, has already been rejected by this Court in MCRC No. 2785/2026 vide order dated 25.03.2026,. In view of the statutory embargo contained under Section 37 of the NDPS Act and the seriousness of the offence, this Court is not inclined to enlarge the applicant on bail.

7. Accordingly, the bail application of the applicant – **Balram Sahu**, involved in Crime No. 193/2025 registered at Police Station– Arang Raipur, District Raipur (C.G.), for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985, is **rejected**.
8. Needless to say that the trial Court concerned is at liberty to proceed and conclude the trial expeditiously.
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

Rahul Dewangan