



2026:CGHC:16904



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**NAFR****HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 3312 of 2026**

Mahesh Dewar S/o. Dhaniram Dewar Aged About 40 Years R/o. Machli  
Market Dewar Para Khurshipar District Durg (C.G.)

**... Applicant(s)****versus**

State Of Chhattisgarh Through- Station House Officer, P.S. Komakhan,  
District- Mahasamund (C.G.)

**... Respondent(s)**


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For Applicant(s) : Mr. Aman Tamrakar, Advocate.

For Respondent(s) : Mr. Shubham Bajpai, Panel Lawyer.

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**Hon'ble Mr. Ramesh Sinha, Chief Justice****Order on Board****13.04.2026**

1. Learned counsel for the applicant submits that the default(s) pointed out by the Registry has already been cured.
2. 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. 90/2025 registered at Police Station – Komakhan, District-Mahasamund (C.G.), for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. The case of the prosecution is that on 01.09.2025, as per secret information received from the informant, the Police of concerned Police Station seized 22 kgs of Ganja from the car bearing registration No. OD–26-G-3624, in which co-accused persons were traveling carrying the same kept in white cloth, and during the course of investigation, they confessed that they are transporting the said contraband article to one Anand Dewar and Mahesh Dewar (present applicant), which led to the registration of alleged offence against the applicant, and subsequently, on the basis of memorandum statement of co-accused, present applicant was arrested. Hence, the bail application.
4. Learned counsel for the applicant submits that the applicant is innocent and has falsely been implicated in the present case. He also submits that only on the basis of memorandum statement, present applicant has been made an accused in the crime in question. He also submits that no seizure of any contraband article has been made from the possession of the applicant as the same has been made from co-accused, who was arrested on the spot. The applicant is in judicial custody since 01.09.2025, and the conclusion of trial is likely to take long time, therefore, the



applicant prays to enlarge the applicant on bail.

5. On the other hand, learned State counsel opposes the bail application and submits that in the present case charge-sheet has already been filed. He further submits that from the car in which co-accused persons were traveling carrying the alleged contraband article, which is above the commercial quantity and the name of present applicant has come into light from the memorandum statement of co-accused persons, as they confessed transporting of said contraband to present applicant and one, Anand Dewar. Furthermore, bail application of co-accused, namely, Anand Dewar has already been rejected by this Court vide order dated 13.01.2026 passed in MCRC No.355 of 2026, therefore, the applicant is not entitled for grant of bail.
6. I have heard learned counsel appearing for the parties and perused the case diary.
7. Considering the facts and circumstances of the case, the nature and gravity of the offence, as well as the quantity of contraband article i.e. 22 kgs of Ganja involved in the present case, and the fact that though no direct seizure has been made from the possession of the applicant, but considering the fact that during the course of investigation, memorandum statement of co-accused persons, who arrested on the spot with said contraband article were recorded and they confessed that they were transporting the said contraband article in car bearing registration



No. OD-26-G-3624 to present applicant and one, Anand Dewar, which *prima facie* shows the involvement of the present applicant in the illicit trafficking of narcotic substances in collusion with co-accused persons, which constitutes a serious offence under the NDPS Act. Moreover, bail application of co-accused, namely, Anand Dewar has already been rejected by this Court vide order dated 13.01.2026 passed in MCRC No.355 of 2026. Considering the aforesaid facts, this Court is of the opinion that it is not a fit case to enlarge the applicant on bail.

8. Accordingly, the bail application of the applicant – **Mahesh Dewar**, involved in Crime No. 90/2025 registered at Police Station – Komakhan, District- Mahasamund (C.G.), for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985, 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.

Sd/-  
**(Ramesh Sinha)**  
**Chief Justice**