



2026:CGHC:21000



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 2996 of 2026**

Arman Ahmad S/o Imran Ahmad Aged About 19 Years R/o Johrapara, Balod,
Police Station- Balod, District- Balod, Chhattisgarh.

--- Applicant**versus**

State Of Chhattisgarh Through - P.S. - Gobra-Navapara, District – Raipur,
Chhattisgarh.

--- Non-applicant**Along with****MCRC No. 3161 of 2026**

Ashish Nirmalkar S/o Laxmi Narayan Nirmalkar Aged About 36 Years
Resident Of Koshta Para, Dhamtari District Dhamtari (C.G.)

---Applicant**Versus**

State Of Chhattisgarh Through- Station House Officer, Police Station Gobra
Nawapara Raipur, District Raipur (C.G.)

---- Non-applicant

For Applicant	: Mr. Hemant Gupta and Mr. Bharat Lal Sahu, Advocates for the respective parties.
For Non-applicant/State	: Ms. Ritika Verma, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****05.05.2026**

- The applicants have preferred these First Bail Applications under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as they have been arrested in connection with Crime No. 11/2026, registered at Police Station – Gobra-Navapara, District – Raipur (C.G.) for the offence punishable under Section 21(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985, for short, the NDPS Act.



2. The prosecution story, in brief, is that a secret information was received by the Police of Police Station – Gobra-Navapara, District – Raipur (C.G.) through the informant and on the basis of such information, the Police has seized a total of 90.1 Grams of Nitrazepam Tablet IP 10mg from the possession of the applicants. Thereafter, the applicant was arrested by the Police and the aforesaid offence has been registered.
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 possession of the applicants only 90.1 Grams of Nitrazepam Tablet IP 10mg has been seized which is less than the commercial quantity. It is further submitted that there are 3 criminal antecedents of applicant Ashish Nirmalkar and there are 2 criminal antecedents of the applicant Arman Ahmad which have been disposed of, and they are in jail since 08.01.2026 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 are 3 criminal antecedents of applicant Ashish Nirmalkar and there are 2 criminal antecedents of the applicant Arman Ahmad which have been disposed of. It is submitted that a total of 90.1 Grams of Nitrazepam Tablet IP 10mg has been recovered from the 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 contraband article seized from the possession of the applicants i.e. a total of 90.1 Grams of Nitrazepam Tablet IP 10mg, which is less than the commercial quantity. Also considering the fact that charge-sheet has been filed and there are 3 criminal antecedents of applicant Ashish Nirmalkar and there are 2 criminal antecedents of the applicant Arman Ahmad which have been disposed of, and further that the applicants are in jail since 08.01.2026 and the conclusion of the trial is likely to take sometime, I am of the opinion that the applicants are entitled to be released on bail in this case.
7. Let the applicants, **Arman Ahmad** and **Ashish Nirmalkar**, involved in Crime No. 11/2026, registered at Police Station – Gobra-Navapara, District – Raipur (C.G.) for the offence punishable under Section 21(B) of the NDPS Act, 1985, be released on bail on their furnishing a **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



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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 provide a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

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