



2026:CGHC:22666



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 3433 of 2026**

- Sunil Sharma S/o Hariram Sharma Aged About 27 Years R/o Village - Dhanpuri, Dafai No. 02 (Wrongly Mentioned As Gali No. 2 In The Order-Sheet), Ward No. 11, Police Station- Amlai, District- Shahdol (M.P.)

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

- State of Chhattisgarh Through - Station House Officer, Police Station - Koni, District- Bilaspur (C.G.)

... Respondent(s)**(Cause title is taken from Case Information System)**

For Applicant(s) : Mr. Chandrakaditya Pandey, Advocate
 For Respondent(s) : Ms. Sameeksha Gupta, Panel Lawyer

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****13/05/2026**

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the applicant who has been arrested in connection with Crime No.430/2025 registered at Police Station, Koni, District-Bilaspur (C.G.), for the offence punishable under Section 21(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.



2. Case of the prosecution, in brief, is that on 05.09.2025 the police of Police Station Koni received a secret information that four persons are roaming near Bilasa Taal, were a two-wheeler motorcycle Pulsar NS- 125 bearing registration No. MP-18-ZE-8110, who are watching and waiting for customers to sell their narcotic drugs syrup. On the basis of aforesaid secret information, the police conducted a raid after conducting some formalities in police station and approached to the place of incident near Bilasa Taal where a two-wheeler motorcycle Pulsar NS-125 gray colour was standing and four persons were roaming around having air bags of red, black and gray colours and also having a white plastic gunny bag. On search and inquiry, the accused persons disclosed their name as Ashu Mahto, Sahil Dahiya, Ankit Chouhan and Sunil Sharma, the present applicant and during search, Rx Codeine Phosphate and Triprolidine Hydrochloride Onrex cough syrup 100 ml was found in all container i.e. air bags and gunny bag. Allegation against the present applicant is that he was having a white colour plastic gunny bag in which the narcotic drug total 40 bottles of 100 ml codeine phosphate syrup was kept and seized from the present applicant. The present applicant was arrested on 05.09.2025 along with other co-accused persons and thereafter first information report bearing Crime No. 430/2025 for the offence punishable under Section 21(c) of Narcotics Drugs and Psychotropic Substances Act was registered and investigation was initiated. Charge-sheet has been filed and the case is pending before the learned Special Judge under Narcotic Drugs and Psychotropic Substances Act, Bilaspur, District - Bilaspur (C.G.).
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and he is in jail since



05.09.2025. He would further submits that the mandatory provisions with regard to search and seizure were not complied with in this case and the conclusion of the trial may take quite long time. Accordingly, he prays for enlarging the applicant on regular bail.

4. Learned counsel appearing for the State/non-applicant would oppose the bail application and submit that the charge-sheet has been filed in the present case. He further submits that the quantity of contraband article *i.e.* 100 ml Rx Codeine Phosphate and Triprolidine Hydrochloride Onex cough syrup 100ml recovered from the possession of the applicant and other co-accused persons and allegation against the present applicant is that he was having a white colour plastic gunny bag in which the narcotic drug total 40 bottles of 100 ml codeine phosphate syrup was kept and seized from the applicant, which is much above the commercial quantity and as such, the applicant is not entitled to be released on bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. From perusal of the case diary, it transpires that the article *i.e.* 100 ml Rx Codeine Phosphate and Triprolidine Hydrochloride Onex cough syrup 100ml recovered from the possession of the applicant and other co-accused persons and allegation against the present applicant is that he was having a white colour plastic gunny bag in which the narcotic drug total 40 bottles of 100 ml codeine phosphate syrup was kept and seized from the applicant, which is much above the commercial quantity and it cannot be a case of false implication.
7. Accordingly, the bail application of the applicant – **Sunil Sharma**, filed under Section 439 of the Cr.P.C., involved in Crime No. 430/2025 registered at Police Station, Koni, District-Bilaspur (C.G.),



for the offence punishable under Section 21(c) 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.

Sd/-

(Ramesh Sinha)
Chief Justice

Vaishali