



2026:CGHC:22092



2026:CGHC:22092

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 3169 of 2026**

Deepak Tomar S/o Shri Dheer Singh Tomar Aged About 33 Years R/o.-
Gram Kirnaich, Tejshingh Ki Gadhi, Police Station Pursa, District- Morena
(M.P.)

... Applicant**versus**

State of Chhattisgarh Through- Police Station New Rajendra Nagar,
District- Raipur (C.G.)

... Non-applicant

For Applicant	:	Mr. Pragalbha Sharma, Advocate
For Non-applicant/State	:	Ms. Ritika Verma, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****11.05.2026**

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. 84/2026 registered at Police Station New Rajendra Nagar, District- Raipur (C.G.) for the offence under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. Case of the prosecution, in brief is that the police of Police Station New Rajendra Nagar, District- Raipur (C.G.), received a secret



information from the informant and on the said information police conducted a raid and seized contraband article *i.e. 14.614 Kgs of Ganja* from the joint possession of the present applicant and co-accused persons. Thereafter, offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 has been registered against present applicant.

3. Learned counsel for the applicant submits that the present applicant is innocent and has been falsely implicated in the present case. He further submits that the no contraband article has been seized from the joint possession of the present applicant and co-accused persons. He also submits that prosecution agency has not followed the provisions under Section 42 of the NDPS Act. He further submits that the applicant has no criminal antecedents under the NDPS Act, the charge-sheet has been submitted before the competent Court, and he is in jail since 22.02.2026 and conclusion of the trial is likely to take quite long time. Therefore, he 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. He further submits that the contraband article *i.e. 14.614 Kgs of Ganja* was seized from the joint possession of the present applicant and co-accused persons. He further submits that the applicant has two more previous criminal antecedents of the year 2019 under the IPC, shows that the applicant is a habitual offender, 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 though the the applicant has two more previous criminal antecedents of the year 2019 under the IPC, but he has no criminal antecedents under the NDPS Act, and also considering the fact that in the present bail application the charge-sheet has been filed before the competent Court and he is in jail since 22.02.2026 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 – **Deepak Tomar**, involved in Crime No. 84/2026 registered at Police Station New Rajendra Nagar, District- Raipur (C.G.) for the offence under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985, be released on bail on furnishing **personal bond** with **two local 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. However, this Court hopes and trusts that the trial Court shall make an earnest endeavour to conclude the trial as expeditiously as possible within a period of **six months** from the receipt of certified copy of this order in accordance with law, if there is no legal impediment.
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