



2026:CGHC:18402



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 3623 of 2026

Rahul Gupta S/o Radheshyam Gupta Aged About 32 Years R/o Ward No. 12 Ramanujganj, Police Station - Ramanujganj District - Balrampur- Ramanujganj C.G.

... Applicant

versus

State of Chhattisgarh Through Divisional Flying, Squad Excise Circle Division Surguja, District - Surguja, C.G.

... Non-Applicant

For Applicant	: Mr. Navneet Kumar Yadav, Advocate.
For Non-Applicant/State	: Mr. Shailendra Sharma, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

22.04.2026

1. The applicant has preferred this First Bail Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Crime No.149/2025, registered at Police Station - Divisional Flying, Squad Excise Circle Division Surguja, District - Surguja (C.G.) for the offences punishable under Sections 21(C) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, for short, the NDPS Act.
2. As per the prosecution story, the police received secret information from an informer that two persons were intending to sell cough syrup in the Paltan Ghat area. Acting upon such information, the District Excise Flying Squad Officer, along with other officials, proceeded to the spot without



obtaining any warrant. During the course of investigation, a white Activa bearing registration No. C.G-30-G-7112 was intercepted. Upon questioning the rider, the police allegedly recovered and seized 80 bottles of Onerex cough syrup from the said vehicle. Thereafter, the police registered Crime No. 149/2026 for offences punishable under Sections 21(c) and 29 of the NDPS Act against the present applicant and other co-accused persons. Following investigation, a charge-sheet (challan) has been filed before the learned trial court.

3. It has been argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case. It is further submitted that the seizure witnesses have not been supporting the prosecution story and they have turned hostile completely. Further, the applicant has no previous criminal antecedents, the charge-sheet has been filed. The applicant is in jail since 20.11.2025. The conclusion of the trial is likely to take some time, therefore, he prays for grant of bail.
4. On the other hand, the learned counsel for the State opposes the bail application and submits that the charge-sheet has been filed. He further submits that the quantity of contraband article seized i.e. 80 bottles of Onerex Cough Syrup, which is much above the commercial quantity. Hence, his bail application is liable to be dismissed.
5. I have heard learned counsel for the parties and perused the material available on record.
6. Taking into consideration the fact that the quantity of contraband article i.e. quantity of 80 bottles of Onerex Cough Syrup which has been seized from the present applicant, is much more than the commercial quantity and the applicant has failed to give any explanation for the same and it cannot be said to be a case of false implication, further the



charge-sheet has been submitted and the trial is in progress, hence, looking to the seriousness of this case, this Court is of the opinion that it is not a fit case to release the applicant on bail.

7. Accordingly, the bail application of applicant – **Rahul Gupta**, involved in Crime No.149/2025, registered at Police Station - Divisional Flying, Squad Excise Circle Division Surguja, District – Surguja (C.G.) for the offences punishable under Sections 21(C) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, for short, the NDPS Act, is **rejected** at this stage.
8. Needless to say that the trial Court concerned is at liberty to proceed and conclude the trial expeditiously.
9. The Office is directed to provide a certified copy of this order to the trial Court for necessary information and compliance forthwith.

Sd/-

(Ramesh Sinha)
Chief Justice