



2026:CGHC:21482

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 3422 of 2026**

Shri Ram Kurre S/o Late Manohar Aged About 56 Years R/o Kutrabod
Bhatapara, District- Janjgir-Champa (C.G.)

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

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

... Non-applicant(s)

For Applicant	:	Mr. Leekesh Kumar, Advocate.
For Non-applicant/State	:	Mr. S.S. Baghel, Government Adv.

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

07.05.2026

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. 53/2025 registered at Police Station- Sargaon, District Mungeli (C.G.) for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. As per the prosecution story, in brief, on 21.05.2025, the police received secret information from an informant that four persons were transporting illegal ganja in a white Dzire car bearing

registration No. CG 11 BK 8355 towards Mungeli–Janjgir. Acting upon the said information, the police conducted a raid, intercepted the vehicle and found four accused persons, namely, Virendra Yadav, Monu Kushwaha, Mahendra Kshatri and Shriram Kurre, inside the vehicle. They were informed of their rights under Section 50 of the NDPS Act, and during the search, a total quantity of 45 kg of ganja (commercial quantity) was recovered from their joint possession. After completion of the investigation, the police filed the charge sheet for the offence punishable under Section 20(b) of the NDPS Act.

3. Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in the instant case. It is further submitted that the mandatory provisions of Sections 42 and 50 of the NDPS Act have not been duly complied with by the prosecution. It is further submits that, as per the FIR, only 08 kg of contraband is alleged to have been recovered from the possession of the applicant, which is less than commercial quantity and the applicant has no previous criminal antecedents, which clearly shows that he is not a habitual offender. It is further submitted that co-accused namely Monu Kushwaha, whose bail application was earlier rejected by this Court in MCRC No. 9517/2025 vide order dated 24.11.2025, being aggrieved by the same, preferred SLP (CRL.) No. 2949/2026 before the Hon'ble Supreme Court and the Hon'ble Apex Court vide order dated 06.01.2026 was pleased to grant him bail. It is further submits that the case of the present applicant is similar to that of the aforesaid co-accused and, on the

ground of parity, the applicant is also entitled to be released on bail.

4. On the other hand, learned State counsel opposes the bail application and submits that there is sufficient material available on record to prima facie connect the present applicant with the commission of the alleged offence. It is further submitted that acting upon a secret information, the police intercepted the vehicle in question and recovered a total quantity of 45 kg of ganja from the joint possession of the accused persons, which falls within the category of commercial quantity. He further submits that the applicant was travelling along with the other co-accused persons in the said vehicle and, therefore, his involvement in the offence cannot be ruled out at this stage. It is also submitted that the offence alleged against the applicant is grave and serious in nature and the rigours of Section 37 of the NDPS Act are clearly attracted. Hence, he prays for rejection of the bail application.
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, nature and gravity of allegation levelled against the applicant, the fact that though a total quantity of 45 kg of ganja has been recovered from the joint possession of all the accused persons, however, as per the prosecution case, only 08 kg of contraband is alleged to be recovered from the possession of the applicant, which is less than intermediate quantity, further considering that the charge-sheet has already been filed and the trial is likely to take some time for its conclusion, coupled with the fact that the applicant

has no criminal antecedents and there is nothing on record to show that he is a habitual offender and also taking into consideration that the co-accused namely Monu Kushwaha, whose bail application was rejected by this Court in MCRC No. 9517/2025 vide order dated 24.11.2025, thereafter preferred SLP (CRL.) No. 2949/2026 before the Hon'ble Supreme Court and the Hon'ble Apex Court vide order dated 06.01.2026 was pleased to grant him bail and the case of the present applicant appears to be similar to that of the aforesaid co-accused, this Court is inclined to allow the present bail application.

7. Let the Applicant – **Shriram Kurre**, involved in Crime No. 53/2025 registered at Police Station- Sargaon, District Mungeli (C.G.) for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985, be released on bail on furnishing **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 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 send a certified copy of this order to the trial Court concerned for necessary information and compliance.

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