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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 3617 of 2026

Swaroop Soni S/o Hastimal Soni. Aged About 28 Years Ward No. 05, Gidam (Nagar Panchyat) North Bastar Dantewada, District - Dantewada (C.G.)

... Applicant

versus

State of Chhattisgarh Sation House Officer Police Station Bhilai District Durg (C.G.)

... Non-Applicant

For Applicant	: Mr. Sudhir Kumar Sahu, Advocate.
For Non-Applicant/State	: Mr. Shubham Bajpai, 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 for grant of regular bail as he has been arrested in connection with Crime No. 22/2026, registered at Police Station - Bhilai Nagar, District - Durg (C.G.) for the offence punishable under Sections 22 - (ख), 27 (क) and 29 of the Narcotic Drugs and Psychotropic Substance Act, 1985.
2. As per the prosecution story, on 15.01.2026, Sub-Inspector Faguram Lahre received information from an informant that an individual was roaming and waiting for customers near Maharana Pratap Chowk, Sector-6, Bhilai Nagar, while carrying illicit narcotics on a scooter. Acting



on this information, the officer, along with supporting staff and witnesses, proceeded to the said location and cordoned off the area. The suspect, Balvir Singh, was apprehended, and a search of his person and vehicle was conducted. During the search, 205 grams of opium, wrapped in a plastic packet, was recovered from the storage compartment of the scooter in his possession. He failed to produce any valid documents for the said substance. In his memorandum statement, the accused Balvir Singh disclosed that he had purchased the narcotics from Ram Babu. Based on this disclosure, accused Ram Babu was apprehended and interrogated. He revealed that he had procured the substance from Swaroop Soni, a resident of Gidam, and had concealed it near the ruins of the Bank of Baroda Colony. Upon being led to the said location by accused Ram Babu, a further quantity of 200 grams of opium, contained in a plastic packet, was recovered. He also failed to produce any valid documents in relation to the said substance. On the basis of the memorandum statement of accused Ram Babu, in which he admitted to procuring the narcotics from Swaroop Soni, the said accused Swaroop Soni was subsequently arrested. Hence, this bail application.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in this case. He further submits that no contraband or incriminating material was seized from the “conscious possession” of the present applicant. Further, the applicant has no previous criminal antecedent and he is in jail since 16.01.2026, the charge-sheet has been filed and 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 and submits that the charge-sheet has already been filed in the present case. He further submits that a narcotic substance of intermediate quantity has



been seized from the possession of the applicant and the applicant has no previous criminal antecedents.

5. I have heard learned counsel for the parties and perused the materials available on record.
6. Considering the facts and circumstances of the case, the nature and gravity of the allegations made against the applicant, and the fact that the quantity of the narcotic substance seized from the applicant is of intermediate quantity, coupled with the fact that the applicant has no criminal antecedents, the charge-sheet has already been filed, and the applicant has been in judicial custody since 16.01.2026, and further that the conclusion of the trial is likely to take a considerable amount of time, this Court is of the opinion that the applicant is entitled to be released on bail.
7. Accordingly, the bail application is allowed. Let the applicant - **Swaroop Soni** involved in Crime No. 22/2026, registered at Police Station - Bhilai Nagar, District - Durg (C.G.) for the offence punishable under Sections 22 - (ख), 27 (क) and 29 of the Narcotic Drugs and Psychotropic Substance Act, 1985, be released on bail on his 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 his counsel. In case of his absence, without sufficient cause,



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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 forthwith.

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