



2026:CGHC:18405



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 3650 of 2026**

Devendra Sahu S/o Late Rameshwar Sahu Aged About 40 Years R/o
Village Kiyakata, Ward No. 12, Police Station Kiyakata, District Angul
Odisha

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

State Of Chhattisgarh Through Station House Officer, Police Station
Singhoda, District Mahasamund Chhattisgarh

... Non-Applicant

For Applicant : Mr. Gurudev I. Sharan, Advocate.

For Non-Applicant/State : Ms. Ritika Verma, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****22.04.2026**

1. The applicant has preferred this **Second Bail Application** under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 5/2025, registered at Police Station – Singhoda, District – Mahasamund (C.G.) for the offence punishable under Sections 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985, for short, the NDPS Act.
2. Earlier the First Bail Application of the applicant was rejected by this



Court vide order dated 19.03.2025 in MCRC No.2174/2025, on merit.

3. The prosecution story in brief, is that, on 16-01-2025 the Police of Police Station Singhoda, District Mahasamund (C.G) searched the vehicles of the applicant with co-accused, Toyota Crolla car number MH 06 AB 3307 and Ertiga car number OD 02 CZ 8252, who are said to be illegally transporting the narcotic substance Ganja. A total of 41 kg Ganja has been seized from the joint possession of the applicant/accused at the scene of the incident. Thus, the act committed by the accused persons is shown to be a crime of serious nature and thereafter the police of police station Singhoda have registered the case for an offence punishable offence under Section 20 (B) of N.D.P.S. Act.
4. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case. It is further submitted that this is the second bail application filed on the ground that co-accused, namely Anjan Kumar Mohanty, has already been granted bail by the Hon'ble Supreme Court vide order dated 19.01.2026 in **SLP (Crl.) No. 18677/2025**, a copy of which has been annexed as Annexure A/4 and further similarly situated co-accused namely Husain Iqbal has also been granted bail by this Court vide order dated 13.01.2026 in MCRC No. 2907/2026. It is also submitted that the charge-sheet has been filed, the applicant has no prior criminal antecedents and he has been in judicial custody since 17.01.2025. In view of the principle of parity, learned counsel prays that the



applicant may also be enlarged on bail.

5. On the other hand, the learned counsel for the State opposes the bail application and submits that the charge-sheet has been filed before the competent Court, but could not dispute the fact that the co-accused person has been granted bail by the Hon'ble Supreme Court.
6. I have heard learned counsel for the parties and perused all of the documents available on record.
7. Considering the facts and circumstances of the case, nature and gravity of offence levelled against the applicant and the new ground which has been raised in this second bail application is that the quantity of contraband article which was recovered from the joint possession of the accused *i.e.* total 41 Kgs of Ganja, further considering the fact that the co-accused namely Anjan Kumar Mohanty, whose bail was rejected by this Court in MCRC No. 6586/2025 vide order dated 21.08.2025, being aggrieved by the said rejection, co-accused Anjan Kumar Mohanty preferred a Special Leave Petition (SLP) before the Hon'ble Supreme Court and the Hon'ble Apex Court, after considering the matter, was granted bail to co-accused Anjan Kumar Mohanty in SLP (Criminal) No. 18677/2025, vide order dated 19.01.2026 (copy of the order is annexed herewith as Annexure A-4) and further similarly situated co-accused namely Husain Iqbal has also been granted bail by this Court vide order dated 13.01.2026 in MCRC No. 2907/2026 and further it appears that the case of the applicant is similar to that of co-accused thus, without further commenting anything on merits, I am inclined to grant



bail to the present applicant.

8. Accordingly, the bail application of the applicant is **allowed**.
9. Let applicant, **Devendra Sahu**, involved in Crime No. 5/2025, registered at Police Station – Singhoda, District – Mahasamund (C.G.) for the offence punishable under Sections 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985, for short, the NDPS Act, be released on bail on his furnishing **a 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.



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(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.

10. 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**

Kunal