



2026:CGHC:18681



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 3685 of 2026**

Vishal Bisen S/o Radhe Shyam Bisen Aged About 35 Years R/o Near Ashwani Nagar Aanganbadi Shiv Vatika P.S. Purani Basti Raipur, District- Raipur Chhattisgarh,

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

State Of Chhattisgarh Through Police Station Aamanaka District- Raipur (C.G.)

... Respondent(s)

For Applicant(s) : Mr. Anant Singh Chandel, Advocate.

For Respondent(s) : Ms. Smriti Shrivastava, Panel Lawyer.

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

23/04/2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the applicant who has been arrested in connection with Crime No. 46/2026 registered at Police Station Aamanaka District- Raipur (C.G.) for the offence punishable under Sections 21(b) of NDPS Act.



2. Case of the prosecution, in brief, is that as per secret information received from the informant, the Police of Police Station Aamanaka District- Raipur seized 10.28 grams of herion/chitta from the motorcycle bearing registration No.CG-04-PV-6260 and the applicant along with other co-accused persons were apprehended on the spot, which led to the registration of alleged offence against the applicant and subsequently, the applicant was arrested. Hence, the bail application.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in offence in question. He further submits that the quantity of contraband article i.e. 10.28 gram of Herion/Chitta seized is less than the commercial quantity as the commercial quantity prescribed in the act is more than 250 grams. He also submits that one of the co-accused, namely, Jaskaran Singh has already been granted bail by this Court vide order dated 20.04.2026 passed in MCRC No.3565 of 2026. The applicant is in jail since 15.02.2026, the applicant has no criminal antecedent, charge-sheet has been filed and the trial is likely to take some time for its conclusion. Therefore, he prays for grant of bail to the applicant.
4. On the other hand, learned State Counsel opposes the bail application and submits that the charge-sheet has been filed in the present case. She further submits that from the motorcycle in possession of applicant and co-accused persons contraband article i.e. 10.28 gram of Herion/Chitta is recovered, further the applicant



has one criminal antecedent of the year 2017 under the IPC, therefore the 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, nature and gravity of offence, period of detention of the applicant since 15.02.2026, the fact that from the motorcycle in possession of applicant and co-accused persons contraband article i.e. 10.28 gram of Herion/Chitta is recovered, which is less than the commercial quantity as prescribed under the act and the applicant has only one criminal antecedent under the IPC of the year 2017, which is old and stale, further one of the co-accused, namely, Jaskaran Singh has already been granted bail by this Court vide order dated 20.04.2026 passed in MCRC No.3565 of 2026 and the charge-sheet has been filed, this Court is of the view that the applicant is entitled to be released on bail in this case.
7. Accordingly, the application is **allowed**.
8. Let the Applicant-**Vishal Bisen**, involved in Crime No. 46/2026 registered at Police Station Aamanaka District- Raipur (C.G.) for the offence punishable under Sections 21(b) of NDPS Act, 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, 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.

9. Office is directed to send a certified copy of this order to the trial Court for necessary information and compliance.

Sd/-

(Ramesh Sinha)
CHIEF JUSTICE