



2026:CGHC:18394



2026:CGHC:18394

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 3628 of 2026**

Brijlal @ Bugala Kurre S/o Shri Bedram Kurre Aged About 38 Years R/o
Gurunanak Ward, Bhatapara, District – Balodabazar-Bhatapara, Chhattisgarh

... Applicant**versus**

State of Chhattisgarh Through Station House Officer, Police Station - Takhatpur,
District – Bilaspur, Chhattisgarh

... Non-Applicant

For Applicant : Mr. Rajeev Kumar Dubey, Advocate.

For Non-Applicant/State : Ms. Monika Thakur, Panel Lawyer.

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

1. This is the **Second bail application** filed under Section 483 of Bharatiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 465/2024 registered at Police Station- Takhatpur, District – Bilaspur (C.G.), for the offence punishable under Sections 21, 22, 29 of the Narcotic Drugs and Psychotropic Substance Act and Section 111 of Bharatiya Nyaya Sanhita, 2023.



2. Earlier bail application of the applicant was rejected by this Court on merits vide order dated 06.10.2025 passed in MCRC No. 7850/2025.
3. The brief case of the prosecution is that on 24.09.2024, acting on information received from an informant, the police of Police Station Takhatpur conducted a search of the accused persons, namely Amit Singh Thakur, Mahendra Sagar, and Lalita Sagar, on the road from Takhatpur to Village Pandaria. During the search, a joint recovery of 854 units of Rexogesic ampoules (2 ml each), containing Buprenorphine, was made from their possession. In connection with the said incident, a First Information Report bearing Crime No. 465/2024 was registered for offences punishable under Sections 21 and 22 of the NDPS Act. The accused persons were arrested on 15.09.2024, and co-accused Brijlal alias was arrested on 07.03.2025. Upon completion of the entire investigation, the charge-sheet has been filed before the competent Court.
4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. It is further submitted that the applicant has been languishing in jail since 07.03.2025, and the trial has not yet been concluded. Out of 30 prosecution witnesses, only two seizure witnesses have been examined so far. It is also submitted that the first bail application of the applicant was rejected solely on the ground of one previous criminal antecedent under the NDPS Act, in which the applicant has already been acquitted. With regard to the other cases under the Excise Act and the IPC, an explanation has been duly provided in paragraph No. 4(a) of the present bail application. Furthermore, it is submitted that the charge-sheet in the present case has already been filed, and the applicant has been in judicial custody since 07.03.2025. As



the conclusion of the trial is likely to take some time, it is prayed that the applicant be enlarged on bail.

5. On the other hand, learned counsel for the State opposes the bail application and submits that the charge sheet has already been filed and also endorse the fact that the applicant has already been acquitted under the NDPS Act and Excise Act.
6. I Heard learned counsel for the parties and perused the material available on record.
7. After hearing the submissions advanced by the learned counsel for the parties and considering the fact that this is the applicant's second bail application, the first bail application of the applicant was rejected solely on the ground of one previous criminal antecedent under the NDPS Act, in which the applicant has already been acquitted, with regard to the other cases under the Excise Act and the IPC, an explanation has been duly provided in paragraph No. 4(a) of the present bail application, the charge-sheet has already been filed, and the applicant has been languishing in jail since 07.03.2025, this Court is of the opinion that the applicant is entitled to be released on bail in this case.
8. Accordingly, the second bail application is **allowed**. Let the applicant - **Brijlal @ Bugala Kurre** involved in Crime No. 465/2024 registered at Police Station- Takhatpur, District – Bilaspur (C.G.), for the offence punishable under Sections 21, 22, 29 of the Narcotic Drugs and Psychotropic Substance Act and Section 111 of Bharatiya Nyaya Sanhita, 2023, 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 provide a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-

(Ramesh Sinha)
Chief Justice

Preeti