



2026:CGHC:18433



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 3656 of 2026

Shekh Javed S/o Shekh Israel Aged About 38 Years R/o Premnagar, Ward No. 26, Balaghat, Police Station – Balaghat, District – Balaghat, Madhya Pradesh,

... Applicant

versus

State of Chhattisgarh Through Station House Officer, Police Station - Civil Line District – Bilaspur, C.G.

... Non-Applicant

For Applicant	: Mr. Rajeev Kumar Dubey, Advocate.
For Non-Applicant/State	: Mr. Saumya Rai, Deputy Government Advocate and 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 the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 1004/2024 registered at Police Station – Civil Line, District - Bilaspur (C.G.), for the offence punishable under Sections 21, 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. The case of the prosecution, in brief, is that on 21.10.2024 at about 20:35 hours, information was received from an informer that a girl named Srishti alias Moti was selling narcotic ampoules kept in the dickey under the seat



of a white-colored Activa bearing registration No. CG-10 BQ-1687 at the crossroads in front of the temple near Bhartiya Nagar Income Tax Office. Acting on this information, the police conducted a raid and recorded the memorandum statement of the accused Srishti, in which she stated that she was selling narcotic ampoules in collusion with her stepmother, Godavari Bai alias Ginni. From the possession of the accused persons, the following were recovered: narcotic ampoules, namely Buprenorphine Injection IP 0.3 ml and Rexogesic 2 ml ampoules, totaling 150 ampoules worth Rs. 7,500/-, sale proceeds of Rs. 5,500/-, one Apple mobile phone worth Rs. 1,00,000/-, one pen drive, and an Activa bearing No. CG-10 BQ-1687 worth approximately Rs. 1,00,000/-, with the total value being Rs. 2,13,000/-. On this basis, at Civil Lines Police Station, Crime No. 1004/2024 was registered under Sections 21 and 22 of the NDPS Act, and the accused persons were arrested.

3. The first bail application filed under Section under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant was rejected vide order dated 06.11.2025 in MCRC No. 7395 of 2025 by this Court on the ground that the applicant is having one criminal antecedents under the NDPS Act which shows that he is a habitual offender and no new ground has been raised in this bail application.
4. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case and has been in judicial custody since 07.12.2024. It is further submitted that the applicant was already in custody in another case since 26.10.2024, and while he was in jail, the present case has been falsely registered against him. Counsel further submits that the earlier bail application of the applicant was rejected on the ground of alleged criminal antecedents under the NDPS Act. However, it is contended that the contraband article allegedly seized from



the applicant is less than commercial quantity. It is also argued that there are no specific allegations against the applicant and that his name has been implicated only in the final charge-sheet without any substantive material. It is further submitted that co-accused persons, namely Kajal Kurre and Sanjeev Kumar Chhabda @ Suchcha Singh, have already been granted bail by this Hon'ble Court in MCRC No. 4265/2025 and MCRC No. 8981/2025 vide orders dated 30.06.2025 and 01.04.2026, respectively. Another co-accused, Naveen Kumar Edwani, has been granted bail by the Hon'ble Supreme Court vide order dated 19.01.2026. On the ground of parity, it is therefore prayed that the present applicant be enlarged on regular bail.

5. Learned counsel for the State/non-applicant opposes the bail application and submits the applicant is having one previous criminal antecedent under the NDPS Act which shows that he is a habitual offender. As such, the present applicant is not entitled to be released on bail.
6. I have heard learned counsel appearing for the State and perused the case diary.
7. Taking into consideration the fact that this is the second bail application filed by the applicant and it transpires from the record that the first bail application of the applicant was rejected by this Court vide order dated 06.11.2025 passed in MCRC No. 7395/2025 on the ground that the applicant is having 01 criminal antecedents under the NDPS Act which is pending, as such he is a habitual offender and also in light of the judgment rendered by the Supreme Court in **Deepak Yadav v. State of Uttar Pradesh & Another, reported in (2022) 8 SCC 559**, wherein the Hon'ble Supreme Court had cancelled the bail granted to the accused therein on the ground that the accused had previous antecedents, this



Court is of the opinion that is not a fit case to enlarge the applicant on regular bail.

8. Accordingly, the second bail application of the applicant - **Shekh Javed** filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, involved in Crime No. 1004/2024 registered at Police Station – Civil Line, District - Bilaspur (C.G.), for the offence punishable under Sections 21, 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, is **rejected**.
9. Needless to say that the trial Court concerned is at liberty to proceed and conclude the trial expeditiously.
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**