



2026:CGHC:28272



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 3989 of 2026

Ravi Bharti Son Of Gopal Bharti, Aged About 26 Years Resident Of Ward No.10, Bhaisapasra, Balodabazar, Police Station Balodabazar, District-Balodabazar- Bhatapara (C.G.) ... **Applicant**

versus

State Of Chhattisgarh Through- The Station House Officer Police Station Lawan, District- Balodabazar- Bhatapara (C.G.) ...**Non-applicant**

For Applicant	: Mr. Yogesh Kumar Chandra, Advocate.
For Non-applicant/State	: Mr. Shubham Bajpai, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

08.07.2026

1. This is the first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 53/2026 registered at Police Station – Lawan, District - Balodabazar- Bhatapara (C.G.), for the offences punishable under Sections 20(B) and 29 of the N.D.P.S. Act.
2. The prosecution case, in brief, is that the police of police station



Nagarnar have received secrete information and on the basis of said information, raid was conducted and recovered total 6.329 KG Contraband Ganja from the possession of co-accused person namely Sumit Yadav and Shubham Sahu and on the basis of memorandum statement of the other co-accused persons, the present applicant has been arrested and filed the charge sheet before the concerned Court.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. It is contended that the applicant has neither committed nor participated in the alleged offence and has been arraigned without any cogent or credible material. Learned counsel further submits that the essential ingredients of the alleged offence are not prima facie made out against the applicant. It is also submitted that the applicant has been implicated solely on the basis of the memorandum statement of the co-accused persons and that no seizure or other incriminating material has been recovered from his possession. Learned counsel submits that the applicant has been in judicial custody since 30.03.2026, the charge-sheet has already been filed, and, therefore, his further custodial interrogation is no longer required. It is further submitted that the conclusion of the trial is likely to take considerable time and the continued detention of the applicant would serve no useful purpose. Learned counsel lastly submits that the applicant is a permanent resident of the address mentioned in the cause title, there is no likelihood of his absconding or tampering with the prosecution evidence or influencing the witnesses, and he is ready and willing to furnish adequate bail bonds and abide by all such terms and conditions as may be imposed by this Hon'ble Court while granting



him bail.

4. On the other hand, learned State Counsel appearing for the State opposes the bail application and submits that the present applicant has as many as six criminal antecedents, which clearly indicate that he is a habitual offender. It is further submitted that the bail application of the co-accused has already been rejected by this Court on merits and, therefore, the present applicant, whose case stands on no better footing, is also not entitled to the grant of regular bail. Learned State Counsel, therefore, prays for rejection of the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, it is observed that the contraband article recovered from the possession of the applicant is less than the commercial quantity as prescribed under the NDPS Act. Further, considering the fact that the charge-sheet has already been filed before the competent Court, and that the applicant has been in judicial custody since 30.03.2026, and the conclusion of the trial is likely to take some more time, this Court is of the considered view that the applicant is entitled to be released on bail in the present case.
7. Let the Applicant – **Ravi Bharti**, involved in Crime No. 53/2026 registered at Police Station – Lawan, District - Balodabazar-Bhatapara (C.G.), for the offences punishable under Sections 20(B) and 29 of the N.D.P.S. Act, be released on bail on his furnishing **personal bond with two local sureties** in the like sum to the satisfaction of the Court concerned with the following conditions:-



2026:CGHC:28272

(i) The applicant shall file an undertaking to the effect that she 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 her under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure her 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 her 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