



2026:CGHC:21201



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 4232 of 2026

Maniram Gond S/o Baisakhu Gond Aged About 23 Years R/o -Nyapara
Parsada Awas,-Sirigitti, Thana,- Sirigitti, Bilaspur- District- Bilaspur C.G.

... Applicant

versus

State Of Chhattisgarh Through- Station House Officer,- Police Station
Baradwar, District- Sakti C.G.

... Non-applicant

For Applicant : Mr. Manoj Kumar Yadav, Advocate

For Non-applicant : Mr. Saurabh Sahu, P.L.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

06.05.2026

1. The applicant has preferred this First Bail Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No.79/2026, registered at Police Station – Baradwar, District Sakti (C.G.) for the offence punishable under Section 20(b), 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.



2. That the prosecution story, in brief, is that on 07.03.2026, the police of Police Station Baradwar received secret information that the applicant along with co-accused Amar Singh Gupta were transporting ganja in a Swift Dzire car bearing registration No. CG-13-42241 towards Baradwar. Acting on the said information, the police laid a trap near the canal bridge at Gram Sakreli and intercepted the vehicle. On search, **9.225 kilograms** of ganja was allegedly recovered from the joint possession of both the accused persons, and no valid documents in respect of the contraband substance were found. Accordingly, the applicant was arrested on **07.03.2026** and Crime No. 79/2026 was registered under Sections 20(b) and 29 of the NDPS Act, 1985 at Police Station Baradwar. The charge-sheet has not been filed.
3. Learned counsel for the applicant submits that the applicant is an innocent young man of 23 years of age and has been falsely implicated in the present case. It is further submitted that he is a permanent resident of Nyapara Parsada Awas, Sirigitti, District Bilaspur (C.G.) and has no previous criminal antecedents. Counsel further submits that the alleged recovery of 9.225 kilograms of ganja falls under intermediate quantity and not commercial quantity, hence the rigours of Section 37 of the



NDPS Act are not strictly attracted. It is also submitted that the alleged recovery is from joint possession of the vehicle and no contraband was recovered from the exclusive possession of the applicant, therefore conscious possession is a matter of trial. It is lastly submitted that the charge-sheet has not been filed, the applicant is in custody **since 07.03.2026**, hence, he is enlarged on bail.

4. Per contra, learned State counsel opposes the bail application and submits that the applicant has been rightly implicated on the basis of credible secret information and recovery of 9.225 kilograms of ganja from the vehicle in which he was traveling along with co-accused. It is further submitted that the quantity involved is substantial and clearly attracts the rigours of the NDPS Act, and conscious possession is a matter to be established during trial. The State further submits that the charge-sheet has not been filed and sufficient prima facie material exists against the applicant. Considering the seriousness and gravity of the offence under the NDPS Act, the applicant is not entitled to be released on bail.
5. I have heard learned counsel for the parties and perused the material available on record.



6. Taking into consideration the facts and circumstances of the case, including the order of detention dated 07.03.2026, the fact that the applicant has no previous criminal antecedents, and further considering that the alleged seized quantity of ganja is **9.225 kilograms**, which is below commercial quantity, this Court is of the view that the matter requires consideration. It is also noticed that the applicant is in judicial custody **since 07.03.2026** and the charge-sheet has not yet been filed. Without commenting on the merits of the case and considering the overall facts and circumstances. I am inclined to **allow** the application and grant bail to the applicant.
7. According, the bail application is **allowed**. Let the applicant, **Maniram Gond** involved in Crime No.79/2026, registered at Police Station – Baradwar, District Sakti (C.G.) for the offence punishable under Section 20(b), 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, be released on bail on their 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)



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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.

8. 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**