



2026:CGHC:21203



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 4228 of 2026

Mayank Soni @ Meet Soni S/o. Bablu Soni Aged About 18 Years R/o. R.V.H. Colony, Chotapara, P.S. Khamtarai, Raipur, District- (Revenue And Civil) Raipur (C.G.)

... Applicant

versus

State Of Chhattisgarh Through Station House Officer, Police Station Khamtarai, Raipur Dist.- Raipur (C.G.)

... Non-applicant

For Applicant : Mr. Yogesh Pandey, Advocate

For Non-applicant : Mr. Shailendra Sharma, P.L.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

06.05.2026

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.97/2026 registered at Police Station Khamtarai, District- Raipur (C.G.) for the offence punishable under Section



20 B of the Narcotic Drugs and Psychotropic Substances Act, 1985.

- 2.** Case of the prosecution story, in brief, is that on 14.02.2026, the police officials received secret information that one person was in possession of contraband articles and was attempting to sell the same at R.V.H. Colony, Chotapara. Acting upon the said information, the police conducted a raid at the spot and allegedly seized 74 tablets of Nitrosun-10 (Nitrazepam Tablets IP), valued at Rs. 528.382 and weighing approximately 49.58 grams. Thereafter, memorandum statement of the accused was recorded and seizure panchnama was prepared. On the basis of the aforesaid seizure, the present applicant along with other co-accused persons was arrested, and after completion of investigation, charge-sheet has been filed for the offence punishable under Section 22(b) of the NDPS Act.
- 3.** Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case and no contraband article was seized from his exclusive possession. It is further submitted that there is non-compliance of the mandatory provisions of Sections 42 and 50 of the NDPS Act, therefore, prima facie offence under Section 22(b) of the NDPS



Act is not made out against the applicant. Counsel further submits that the alleged seized quantity of Nitrosun-10 tablets is 49.58 grams, which falls under intermediary quantity not commercial quantity, and the charge sheet has been filed and the Applicant's did not have any previous criminal antecedent. Hence he is enlarged on bail.

4. Learned counsel for the State opposes the bail application and submits that the applicant has been rightly implicated in the present case on the basis of material collected during investigation. It is further submitted that the contraband tablets were seized pursuant to credible secret information and due procedure prescribed under the NDPS Act was duly followed by the investigating agency. The State further submits that the allegations against the applicant are serious in nature and relate to illegal possession and sale of psychotropic substances, which adversely affects society at large. It is also submitted that sufficient prima facie material is available against the applicant, charge-sheet has already been filed, and looking to the nature and gravity of the offence, the applicant is not entitled to be released on bail.
5. On the other hand, learned State counsel would oppose the



bail application and submit that the charge-sheet has been filed in the present case before the competent Court and also endorse the submission made by the learned counsel for the applicant. He further submits that from the possession of the applicant and other co-accused persons contraband article *i.e.* 21.746 Kgs of Ganja were seized, therefore, the present applicant is not entitled for grant of bail.

6. I have heard learned counsel appearing for the parties and perused the case diary.
7. Taking into consideration the facts and circumstances of the case, including the fact that the applicant has no previous criminal antecedents under the NDPS Act and the order of detention dated 14.02.2026, and further that charge-sheet has already been filed before the competent Court, this Court is of the view that the trial is likely to take some time for its conclusion. It is also noticed that the alleged recovery from the applicant is 49.58 grams of Nitrosun-10 (Nitrazepam Tablets IP), which is below commercial quantity. In view of the aforesaid circumstances and without expressing any opinion on the merits of the case, I am inclined to **allow** the application and grant bail to the applicant.



8. Accordingly the bail applicant is **allowed**. Let the Applicant –

Mayank Soni @ Meet Soni, involved in Crime No.97/2026 registered at Police Station Khamtarai, District- Raipur (C.G.) for the offence punishable under Section 20 B of the Narcotic Drugs and Psychotropic Substances Act, 1985 be released on bail on his furnishing **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 concerned for necessary information and compliance forthwith.

**Sd/-
(Ramesh Sinha)
Chief Justice**