



2026:CGHC:24064



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 4780 of 2026

Bhogilal Sagar S/o. Jethuram Sagar Aged About 26 Years R/o. Barpeladih, P.S.
Basna District- Mahasamund (C.G.)

... **Applicant**

versus

State of Chhattisgarh Through- Station House Officer, Police Station Basna,
District- Mahasamund (C.G.)

... **Non-Applicant**

For Applicant : Mr. Sudhir Kumar Sahu, Advocate.

For Non-Applicant/State : Ms. Ankita Shukla, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

16.06.2026

1. This is the **third bail application** filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 567/2023 registered at Police Station - Basna, District- Mahasamund (C.G.) for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. As per the prosecution story, in brief, on the date of the incident, the police officer received information from the informant that unknown persons had kept contraband ganja in a motorcycle for the purpose of sale. Acting on the said information, the police seized a total of 15 kg of ganja from the joint possession of the accused persons. Consequently,



the police registered an offence punishable under Section 20(b) of the NDPS Act against the applicant.

- 3.** Learned counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in this Case. He further submits that this is the third bail application, the first bail application of the applicant was allowed on merits by this Court vide order dated 14.02.2024 passed in MCRC No. 8453/2023, however, after getting bail by this Court on 14.02.2024 with a condition to remain present before the trial Court on each and every date fixed for hearing, after 10.06.2024, the accused remained absent continuously for about one year, to which counsel for the applicant stated that the applicant had gone out of station to earn his livelihood and support his family, due to which the framing of charge could not take place and the trial proceedings were adversely affected, despite issuance of arrest warrants on several occasions, the accused did not appear before the Court and ultimately surrendered on 17.09.2025, and thereafter the second bail application was preferred by the applicant which was rejected by this Court vide order dated 03.11.2025 passed in MCRC No. 8692/2025. He further submits that there are total 12 prosecution witnesses in the present case, till date only 05 witnesses have been examined before the trial Court, further the charge-sheet has already been filed and the applicant is in jail since 17.09.2025, hence, he prays for releasing the applicant on regular bail.
- 4.** On the other hand, the learned counsel for the State opposes the bail application and submits that the first bail application of the applicant was allowed on merits by this Court vide order dated 14.02.2024 passed in MCRC No. 8453/2023, however, after getting bail by this Court on



14.02.2024 with a condition to remain present before the trial Court on each and every date fixed for hearing, after 10.06.2024, the accused remained absent continuously for about one year, due to which the framing of charge could not take place and the trial proceedings were adversely affected, despite issuance of arrest warrants on several occasions, the accused did not appear before the Court and ultimately surrendered on 17.09.2025 and thereafter the second bail application was rejected by this Court vide order dated 03.11.2025 passed in MCRC No. 8692/2025. Hence, this bail application is liable to be rejected.

5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the submissions made by learned counsel for the parties and the fact that it appears that this is the third bail application of the applicant, the first bail application of the applicant was allowed by this Court vide order dated 14.02.2024 in MCRC No.8453 of 2023 on the ground that the seizure of contraband article made from the joint possession of the applicant and co-accused is less than the commercial quantity and the applicant has no criminal antecedent. However, after getting bail by this Court on 14.02.2024 with a condition to remain present before the trial Court on each and every date fixed for hearing, after 10.06.2024, the accused remained absent continuously for about one year, to which counsel for the applicant stated that the applicant had gone out of station to earn his livelihood and support his family, due to which the framing of charge could not take place and the trial proceedings were adversely affected. Despite issuance of arrest warrants on several occasions, the accused did not appear before the Court and ultimately surrendered on 17.09.2025,



and thereafter the second bail application was preferred by the applicant which was rejected by this Court vide order dated 03.11.2025 passed in MCRC No. 8692/2025, but considering the fact that the applicant had absconded earlier and there is every likelihood that he may abscond again, which would adversely affect and hamper the trial. Further, there are total 12 prosecution witnesses in the present case, till date only 05 witnesses have been examined before the trial Court. As such, this Court is of the opinion that it is not a fit case to enlarge the applicant on regular bail.

7. Accordingly, the third bail application of the applicant- **Bhogilal Sagar** filed under Section 483 of BNSS, involved Crime No. 567/2023 registered at Police Station - Basna, District- Mahasamund (C.G.) for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985, is **rejected** at this stage.
8. Needless to say that the learned trial Court concerned is at liberty to proceed with the trial and conclude the same expeditiously.
9. The office is directed to provide a certified copy of this order to the trial Court for necessary information and compliance forthwith.

Sd/-

(Ramesh Sinha)
Chief Justice