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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 4678 of 2026**

Komal @ Chhannu Ram Dewangan S/o Bishat Ram Dewangan Aged
About 27 Years Resident Of Pitaiband Ward No 12, Dewanganpara P.S.
Rajim District- Gariyaband (C.G.)

... Applicant**versus**

State Of Chhattisgarh Through- Station House Officer Police Station
Rajim, District – Gariyaband (C.G.)

... Non-Applicant

For Applicant : Mr. Krishna Kumar Dewangan, Advocate.

For Non-Applicant : Mr. Sourabh Sahu, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****15.06.2026**

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. 129/2025 registered at Police Station – Rajim, District – Gariyaband (C.G.) for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. Case of the prosecution, in brief, is that Police of Police Station Rajim, District – Gariyaband (C.G.) received secret information from the informant and on the basis of said information, Police have conducted raid and has seized a total of 5.800 Kgs of Ganja from the possession of the applicant. Thereafter, the applicant



was arrested and the crime was registered against him. Hence, this application.

3. The first bail application was rejected by this Court vide order dated 07.08.2025 passed in MCRC No. 6232/2025, on merits.
4. Learned counsel for the applicant submits that the first bail application of the applicant was rejected by this Court on 07.08.2025 in MCRC No. 6232/2025, on the ground that there is one criminal antecedent under the NDPS Act is registered against the applicant, and it is stated that the said case is still pending, and has not been concluded on account of absence of the seizure witnesses in spite of the summons being issued to them by the trial Court. The applicant is in jail since 07.05.2025 and the conclusion of trial is likely to take some time, therefore, he prays for releasing the applicant on regular bail.
5. On the other hand, learned State counsel opposes the bail application and submits that from the possession of applicant a total of 5.800 Kgs of Ganja has been recovered, and there is one criminal antecedent of the applicant under the NDPS Act which is still pending, on which ground the first bail application of the applicant was rejected by this Court, as such, he is not entitled for grant of bail.
6. I have heard learned counsel for the parties and perused the case diary.



7. From perusal of the records, it transpires that the applicant has one criminal antecedent under the NDPS Act which is still pending, which shows that applicant is a habitual offender and he has misused the bail granted to him earlier, and on the same ground the first bail application of the applicant was rejected by this Court, 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- **Komal @ Chhannu Ram Dewangan**, involved in Crime No. 129/2025 registered at Police Station – Rajim, District – Gariyaband (C.G.) for the offence punishable under Section 20(B) of the NDPS Act, is **rejected** at this stage.
9. However, this Court hopes and trusts that the trial Court shall make earnest endeavour to conclude the trial expeditiously, preferably within a period of six months from the date of passing of this order, if there is no legal impediment.
10. The Director General of Police, Chhattisgarh is directed to ensure that all the prosecution witnesses including the Police personnel



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who are prosecution witnesses in this case shall appear before the trial Court on the next date fixed.

11. Registrar (Judicial) is also directed to send a copy of this order to the Director General of Police, Chhattisgarh, as well as to the trial Court concerned for necessary compliance and follow up action, if any.

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

Rajshekhar