



2026:CGHC:24655



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 5211 of 2026**

Bhupendra Sahu S/o Laxmi Sahu Aged About 22 Years R/o Indira Nagar,
Kurud, Police Station Kurud, District- Dhamtari (C.G.)

... Applicant(s)**versus**

State Of Chhattisgarh Through- Station House Officer, Police Of Police
Station Kurud, District- Dhamtari (C.G.)

... Non-Applicant(s)

For Applicant	: Mr. Anil Kumar Gulati, Advocate.
For Non-Applicant/State	: Mr. Shailendra Sharma, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****18/06/2026**

1. This is the first 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. 98/2026 registered at Police Station - Kurud, District- Dhamtari (C.G.), for the offence punishable under Section 20(B) of Narcotic Drugs and Psychotropic Substance Act, 1985.
2. The brief facts of the prosecution case are that on 05.04.2026, the police received credible secret information through an informer that



the present applicant was in possession of prohibited contraband, namely Ganja, at his residence. Acting upon the said information, the police conducted a raid and recovered/seized 2 kg 820 grams of contraband Ganja from the possession of the applicant. Thereafter, the applicant was arrested in connection with the alleged offence.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in this case. He further submitted that from the possession of the present applicant less than intermediate quantity of the psychotropic substance ganja has been seized, and therefore, it will not attract the rigors of Section 37 of the NDPS Act as the commercial quantity of ganja as prescribed under the schedule is more than 20 Kgs and from the possession of the present applicant contraband article i.e. 2 Kgs 820 Grams (Ganja) has been seized. It is further submitted by the learned counsel for the applicant that the applicant has three criminal antecedents under the IPC as the same has been explained in the bail application of para No.4(A) however, no criminal antecedent under the NDPS Act and he is in jail since 05.04.2026 and the conclusion of the trial is likely to take quite long time. Therefore, he prays for grant of regular bail to the applicant.
4. On the other hand, learned State Counsel, appearing for the State/non-applicant opposes the bail application and submits that the charge-sheet has been filed in the present case before the competent Court and also endorse the said submission that the applicant has three criminal antecedents under the IPC however, no criminal antecedent under the NDPS Act. He further submits that



from the possession of the present applicant contraband article *i.e.*

02 Kg 820 Grams of Ganja has been seized, therefore, the present applicant is not entitled for grant of bail.

5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case that the applicant has three criminal antecedents under the IPC as the same has been explained in the bail application of para No.4(A) however, no criminal antecedent under the NDPS Act and the quantity of contraband article has been recovered from the possession of the present applicant *i.e.* 02 Kg 820 Grams of Ganja which is less than the intermediate quantity and in the present case, charge-sheet has been filed, this court is of the view that the applicant is entitled to be released on bail in this case.
7. Accordingly, the bail application of the applicant is **allowed**.
8. Let the Applicant- **Bhupendra Sahu**, involved in Crime No. 98/2026 registered at Police Station - Kurud, District- Dhamtari (C.G.), for the offence punishable under Section 20(B) of Narcotic Drugs and Psychotropic Substance 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 Nyay 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 Bharatiya Nagarik Suraksha Sanhita 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 Bharatiya Nyay 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 Bharatiya Nagarik Suraksha Sanhita. 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**