



2026:CGHC:24790



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**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 5239 of 2026**

Anas Rajput S/o Rahis Rajput Aged About 18 Years R/o Kandhla, P.S.-  
Kandhla, District- Samli, (U.P.)

**... Applicant****versus**

State of Chhattisgarh Through Police Station- Tongpal, District- Sukma, (C.G.)

**... Non-applicant**

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For Applicant : Mr. Sanjay Kumar Agrawal, Advocate.

For Non-applicant/State : Mr. Shailendra Sharma, Panel Lawyer.

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**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 the Bhartiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the applicant who has been arrested in connection with Crime No. 31/2025 registered at Police Station – Tongpal, District – Sukma (C.G.), for the offence punishable under Section 20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. The gist of the prosecution case is that on 16.12.2025 (as per the charge sheet), though the learned Trial Court has mentioned the date as 17.12.2025 in its order sheet, the jurisdictional police received secret information that certain persons were transporting a prohibited



substance. Thereafter, the concerned police officials intercepted the applicant and the co-accused persons. Upon search, four packets of ganja weighing 20.210 kg were seized from the green trolley of the co-accused, namely Rehan Rajput, and three packets of ganja weighing 14.920 kg were recovered from the blue trolley of the present applicant. Thus, a total quantity of 35.130 kg of ganja was seized from the accused persons. Thereafter, upon completion of the investigation, the concerned police authorities filed the charge sheet.

3. Learned counsel for the applicant submits that the present applicant has been falsely implicated in this case. He also submits that the learned trial Court has held that the quantity seized is of commercial quantity without appreciating that separate seizure memos were prepared in respect of the applicant and the co-accused. From the co-accused, namely Rehan Rajput, four packets of the prohibited substance (ganja) weighing 20.210 kg were seized from a green trolley, whereas from the blue trolley of the present applicant, three packets of ganja weighing 14.920 kg were recovered and seized separately. Therefore, in view of the separate seizure memos and the contraband having been recovered separately from the possession of the co-accused and the applicant, the quantities seized cannot be clubbed together for the purpose of treating the recovered substance as a commercial quantity. Such clubbing of quantities is impermissible in law. He also submits that the mandatory provisions of NDPS Act and the concerned police station did not take proper investigation before lodging FIR against the applicant. He further submits that the present applicant has no criminal antecedents and he is in jail since 16.12.2025 and conclusion of the trial may take some time, therefore, he prays for grant of regular bail to the present applicant.
4. On the other hand, the learned State Counsel opposes the bail



application of the present applicant and submits that 35.130 kg of ganja was seized from the joint possession of the present applicant and the other co-accused. Since the quantity seized is above the commercial quantity, the applicant is not entitled to the grant of regular bail.

5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the aforesaid facts and circumstances of the case, particularly the alleged involvement of the applicant in the transportation of a prohibited substance, i.e. 35.130 kg of ganja, which was recovered from the joint possession of the present applicant and the co-accused, and considering that the quantity recovered is above the commercial quantity prescribed under the law, the applicant has failed to furnish any satisfactory explanation regarding such possession. In these circumstances, it cannot, at this stage, be said to be a case of false implication.
7. Accordingly, the bail application of the applicant – **Anas Rajput**, involved in Crime No. 31/2025 registered at Police Station – Tongpal, District – Sukma (C.G.), for the offence punishable under Section 20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985, is **rejected**.
8. Needless to say that the trial Court concerned is at liberty to proceed and conclude the trial expeditiously.
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**