



CGHC010226572026



2026:CGHC:35074

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 6150 of 2026

Arti Sa D/o Hari Sa Aged About 24 Years R/o Village Muchhmalda
(Kandapalla) P.S. Aamabhauna Tehsil And Distt- Bargarh, Odisha.

--- **Applicant**

Versus

State Of Chhattisgarh Through- The Station House Officer
Baramkela District- Sarangarh-Bilaigarh (C.G.)

--- **Respondent(s)**

For Applicant	:Mr. Manoj Kumar Jaiswal, Advocate.
For Non-applicant/State	:Mr. Shailendra Sharma, P.L.

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

10.08.2026

1. This is the 1st 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. 39/2026 registered at Police Station – Baramkela ,
District- Sarangarh- Bilaigarh (C.G.), for the offences under
Sections 20 (b) and 29 of NDPS Act.

2. Brief facts of the case are that on 10.04.2026, the police of Police Station Baramkela, District Sarangarh-Bilaigarh (C.G.), received secret information that the present Applicant was carrying illicit contraband Ganja. Acting upon the said information, the police intercepted the Applicant and allegedly seized 3 kg and 220 grams of contraband Ganja from his possession. Based on the aforesaid allegations, the police registered the offences, as mentioned above, against the present Applicant. Hence, the present application.
3. Learned counsel appearing for the Applicant submits that the Applicant has been falsely implicated in the present case and that the alleged contraband has been seized from his possession without there being any independent or reliable evidence connecting him with the alleged offence. It is further submitted that the Applicant has been in custody since his arrest and the investigation is substantially complete. The alleged contraband has already been seized and there is no possibility of the Applicant tampering with the prosecution evidence or influencing the witnesses. Learned counsel further submits that the Applicant has no likelihood of absconding and is ready and willing to cooperate with the trial. It is also submitted that the trial is likely to take considerable time and continued incarceration of the

Applicant would serve no useful purpose. He further submits that the applicant is in jail since 20.05.2026, therefore, he may be released on bail.

4. On the other hand, learned Counsel for the State opposes the bail application but fairly submits that there are no previous criminal antecedents against the present Applicant.
5. I have heard learned counsel for the parties and perused the material available on record.
6. Considering the submissions advanced by learned Counsel for the parties, the nature of allegations, the pre-trial detention, the fact that the Applicant has no criminal antecedents and the likelihood of the trial taking considerable time for its conclusion, without further commenting anything on the merits of the case, this Court is of the considered opinion that it is a fit case to allow the application. Accordingly, the application is allowed.
7. Let Applicant- **Arti Sa** involved in Crime No. 39/2026 registered at Police Station – Baramkela, District- Sarangarh- Bilaigarh (C.G.), for the offences under Section 20(B) and 29 of NDPS Act be released on bail on his furnishing **a personal bond** with **two local 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.

8. 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