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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 5817 of 2026**

Suresh Verma S/o Matu Verma Aged About 27 Years Wrongly Mentioned
As Matu Ram Verma, R/o Infront Of Kayaghat Muktidham Ward No. 29 P.
S. Jutmil Raigarh, District- Raigarh Chhattisgarh.

... Applicant**versus**

State of Chhattisgarh Through Police Station Jutmil, Raigarh, District-
Raigarh, Chhattisgarh.

... Non-Applicant

For Applicant	:	Mr. Ashish Gupta, Advocate
For Non-Applicant/State	:	Ms. Ankita Shukla, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****02.07.2026**

1. The applicant has preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), for grant of regular bail, as he has been arrested in connection with Crime No. 66/2026 registered at Police Station – Jutmil, Raigarh, District- Raigarh, (C.G.) for the offence punishable under Sections 123, 275, and 286 of Bharatiya Nyaya Sanhita, 2023, and under Section 77 of the Juvenile Justice Act.
2. The case of the prosecution, in brief, is that on 24.02.2026, the police received secret information through a reliable informant that



the present applicant was illegally possessing narcotic substances for the purpose of sale. Acting upon the said information, the police proceeded to the spot and conducted a search, during which 12 injections of Butorphanol Tartrate were allegedly recovered and seized from the conscious and illegal possession of the applicant in accordance with law. During the course of investigation, it was further alleged that the applicant had supplied the aforesaid injections to a juvenile. On the basis of the seizure and the material collected during investigation, the applicant was arrested and a crime was registered against him for the alleged offences. Hence, the present bail application.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case and has not committed any offence as alleged by the prosecution. It is contended that the mandatory provisions of the NDPS Act have not been duly complied with while conducting the search and seizure, thereby rendering the prosecution case doubtful at the very threshold. It is further submitted that the alleged contraband was not recovered from the exclusive and conscious possession of the applicant. He further submits that though the prosecution has alleged that the applicant used to supply the said Butorphanol Tartrate injections to the juvenile, there is no statement of any child or juvenile recorded during the investigation specifically stating that the injections were supplied by the present applicant. In the absence of any such direct evidence, the allegation regarding supply of the injections is wholly unsubstantiated and, therefore, the



offence under Section 77 of the Juvenile Justice (Care and Protection of Children) Act is not prima facie attracted against the applicant. With regard to the criminal antecedents, he fairly submits that three previous cases are reflected against the applicant. Out of them, Crime No. 581/2023 registered at Police Station Kotwali, Raigarh under Sections 394 and 34 of the IPC is pending trial, Crime No. 106/2024 registered at the same police station under Section 21(b) of the NDPS Act is also pending consideration before the competent Court, and one case bearing Crime No. 1502/2022 registered under Section 36(f)(1) of the Chhattisgarh Excise Act has already been disposed of. It is submitted that the mere existence of criminal antecedents, particularly when one case has already been concluded and the remaining cases are still pending trial without any conviction, cannot by itself be a ground to deny the applicant the benefit of bail. It is further submitted that the applicant is in jail since 24.02.2026, the charge-sheet has already been filed, no further custodial interrogation is required, and the trial is likely to take some time for its conclusion. Therefore, he prays for grant of bail to the applicant.

4. On the other hand, learned State Counsel has vehemently opposed the bail application and submitted that the charge-sheet has been submitted before the competent Court. She further submits that the applicant is involved in a serious offence under the provisions of the NDPS Act involving illegal possession of narcotic injections and their supply to a juvenile, which has grave societal consequences. It is contended that acting upon credible secret information, the police



recovered 12 injections of Butorphanol Tartrate from the conscious and illegal possession of the applicant, and the seizure was effected in accordance with law. During the course of investigation, sufficient material was collected indicating that the applicant was engaged in the illegal supply of the said narcotic injections, including to a juvenile, thereby attracting the provisions of the Juvenile Justice Act. She further submits that the applicant is a habitual offender having criminal antecedents, he is involved in three previous criminal cases, namely Crime No. 581/2023 registered at Police Station Kotwali, Raigarh under Sections 394 and 34 of the IPC, which is pending trial; Crime No. 106/2024 registered at the same police station under Section 21(b) of the NDPS Act, which is also pending; and Crime No. 1502/2022 registered under Section 36(f) (1) of the Chhattisgarh Excise Act, which has already been disposed of. The repeated involvement of the applicant in offences relating to narcotic substances, excise violations and other serious criminal offences clearly indicates his criminal propensity and establishes that he is a habitual offender. Considering the gravity of the allegations, the nature of the contraband recovered, the material collected during investigation, the applicant's criminal antecedents, and the likelihood of his indulging in similar illegal activities if released on bail, it is prayed that the present bail application deserves to be rejected.

5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the nature



and gravity of the allegations, the recovery of 12 Butorphanol Tartrate injections from the conscious and illegal possession of the applicant, the material collected during the course of investigation indicating that the applicant was engaged in the illegal supply of narcotic injections, including to a juvenile, and the seriousness of the alleged offences including the Juvenile Justice Act, this Court is of the considered opinion that a strong *prima facie* case is made out against the applicant. This Court has also taken into consideration the criminal antecedents of the applicant. The record reflects that the applicant is involved in three previous criminal cases, including one under the NDPS Act, another under Sections 394 and 34 of the IPC, both of which are still pending trial, and one case under the Chhattisgarh Excise Act which has already been disposed of. The repeated involvement of the applicant in offences of a similar nature indicates that he is a habitual offender and *prima facie* reflects a continuing propensity to indulge in criminal activities relating to narcotic substances. Having regard to the gravity of the allegations, the *prima facie* material available on record, the accusation that the applicant was supplying narcotic injections to juveniles, the adverse impact of such activities on society, and the criminal antecedents of the applicant, this Court is of the opinion that it is not a fit case to enlarge the applicant on regular bail.

7. Accordingly, the bail application of applicant – **Suresh Verma**, involved in Crime No. 66/2026 registered at Police Station – Jutmil, Raigarh, District- Raigarh, (C.G.) for the offence punishable under Sections 123, 275, and 286 of Bharatiya Nyaya Sanhita, 2023, and



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under Section 77 of the Juvenile Justice Act, 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.

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

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