



2026:CGHC:33247



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR
MCRC No. 5787 of 2026

1 - Shahnaj Begam D/o Shalman Suren Aged About 28 Years R/o Punapali, Goutiyapara Rajanagar Police Station - Dhnupali, District - Sambalpur (Orisa)

2 - Savitri Luha D/o Tapi Luha Aged About 30 Years R/o Near Dhanupali Collage, Police Station- Dhanupali, Dist- Sambalpur (Orisa)

... Applicants**versus**

State of Chhattisgarh Through Station House Officer, Police Station - G.R.P., Bilaspur, District - Bilaspur, Chhattisgarh.

... Non-applicant

For Applicants	: Mr. Jitendra Chandrakar, Advocate
For Non-applicant/State	: Ms. Sameeksha Gupta, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

31.07.2026

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 applicants who have been arrested in connection with Crime No. 25/2026 registered at Police Station - G.R.P., Bilaspur, District - Bilaspur (C.G.) for the offence under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. Case of the prosecution, in brief is that on 11.03.2026, the police of G.R.P., Bilaspur, received secret information that two women, namely Shahnaj Begam and Savitri Luha, were present at Platform



Nos. 7 and 8 of Bilaspur Railway Station and were carrying suspected contraband ganja. Acting upon the said information, the police conducted a raid and intercepted the applicants. During the search, one black-coloured bag allegedly belonging to applicant Shahnaj Begam was found containing 6.200 kilograms of ganja, while one blue-coloured bag allegedly belonging to applicant Savitri Luha was found containing 8.200 kilograms of ganja. Thus, a total quantity of 14.400 kilograms of alleged contraband ganja, valued at approximately Rs. 7,00,000/-, was seized. Thereafter, the police registered the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 and arrested the applicants on the same day. Hence, the present bail application.

3. Learned counsel for the applicants submits that the present applicants are innocent and have been falsely implicated in the present case. He further submits that the said contraband Ganja was not seized from the joint possession of the present applicants. He also submits that prosecution agency has not followed the provisions under Section 42 of the NDPS Act. He further submits that the applicants have no criminal antecedents, the charge-sheet has been already been filed before the competent Court, and they have been in jail since 11.03.2026 and conclusion of the trial is likely to take quite long time. Therefore, he prays for grant of regular bail to the applicants.
4. On the other hand, learned Panel Lawyer opposes the bail application of the present applicants and submit that the charge-



sheet has been filed in the present case before the competent Court and also endorse the submission made by the learned counsel for the applicants. She further submits that from the joint possession of the present applicants total 14.400 kilograms of alleged contraband ganja, valued at approximately Rs. 7,00,000/- was seized, therefore, she prays that the present applicants are 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 present applicants have no criminal antecedents and also considering the fact that in the present bail application the charge-sheet has been filed before the competent Court and they are in jail since 11.03.2026 and conclusion of the trial may take some time, therefore, this Court is of the view that the applicants are entitled to be released on bail in this case.
7. Let the Applicants – **Shahnaj Begam** and **Savitri Luha**, involved in Crime No. 25/2026 registered at Police Station - G.R.P., Bilaspur, District - Bilaspur (C.G.) for the offence under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985, be released on bail on furnishing **personal bond** with **two local sureties each** in the like sum to the satisfaction of the Court concerned with the following conditions:-

(i) The applicants shall file an undertaking to the effect that they 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 applicants shall remain present before the trial court on each date fixed, either personally or through their counsel. In case of their absence, without sufficient cause, the trial court may proceed against them under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicants misuse the liberty of bail during trial and in order to secure their presence, proclamation under Section 84 of BNSS. is issued and the applicants fail to appear before the Court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against them, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicants 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 applicants are 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 them 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**