



CGHC010246762026



2026:CGHC:31550

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No.5988 of 2026

1 - Sheikh Amir Sheikh S/o Shri Sheikh Hashim Aged About 31 Years
R/o Mahendra Nagar, Sindhi Colony, House No.133, Rajnandgaon,
Distt. Rajnandgaon, Chhattisgarh.

Applicant (s)

versus

1 - Union Of India Through The Officer Of Narcotics Control Bureau,
Regional Unit Raipur, Distt. Raipur, Chhattisgarh.

Respondent(s)

For Applicant (s) : Mr. Rajendra Patel, Advocate

For Respondent(s) : Mr. Ramakant Mishra, Dy. Solicitor General along
with Mr. Rishabh Deo Singh, Advocate

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

23.07.2026

1. This is the first bail application filed under Section 483 of Bhartiya
Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the
applicant, who has been arrested in connection with Crime
No.02/2025, registered at Narcotics Control Bureau, Regional
Unit Raipur, District Raipur (C.G.) for the offence punishable
under Sections 20 (B) (ii) (C) & 29 of NDPS Act.

2. The case of the prosecution, in brief, is that on 30.03.2025 the Police of Police Station Bortalab District Rajnandgaon (C.G.) received secret information that contraband articles are being transported in a car bearing number CG 10 BQ 0634. Based upon the above information the police raided the place of incident and stopped the vehicle and conducted search of the said vehicle, whereby the co-accused persons were found carrying contraband articles. Total 243.54 Kg Ganja was seized from the possession of the co-accused namely Dilawar Ali and Santosh Pal and the present applicant had fled from the spot who was later arrested by the police. Therefore, offence under the NDPS Act was registered against the applicant and other co-accused. That the present case was initially registered at Police Station Bortalab, District Rajnandgaon, as Crime No. 11/2025 where the local police arrested the co-accused persons, who allegedly disclosed the name of the present applicant in their memorandum statements. Thereafter, the Narcotics Control Bureau, Zonal Unit Raipur, got involved in the matter and arrested the present applicant and one another accused person.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in crime in question. He further submitted that no contraband article has been seized from the exclusive possession of the applicant and only on the basis of memorandum statement of co-accused Santosh Pal, the applicant has been arrested. The provisions of the NDPS Act

have also not been followed by the prosecution. He further submitted that the applicant is in jail since 11.08.2025, he has no criminal criminal antecedents, out of total 20 prosecution witnesses, only 4 have been examined till date as such trial is likely to take quite long time for its conclusion, therefore, he prays that the applicant be released on regular bail.

4. On the other hand, learned Dy. Solicitor General appearing for the respondent opposes the bail application of the applicant and submits that the huge quantity of contraband i.e. 243.54 kg has been recovered from the joint possession of the applicant and other -accused persons, as such the applicant is involved in a very serious offence. He further submits that the regular bail application of the co-accused Kaal Bahadur @ Kaale has already been rejected by this Court vide order dated 09.07.2026 in MCRC No.4936/2026. Therefore, under the aforesaid circumstances, the applicant is not entitled to be released on bail.
5. I have heard learned counsel for the parties and perused all the documents available on record.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of the offence, further considering that the commercial quantity of contraband weighing 243.54 kg has been recovered from the joint possession of the applicant and other co-accused persons, which discloses the prima facie involvement of the applicant in the crime in question and for the

fact that regular bail application of the co-accused Kaal Bahadur @ Kaale has already been rejected by this Court vide order dated 09.07.2026 in MCRC No.4936/2026, therefore, without commenting anything further on the merits of the case, I am not inclined to allow this application.

7. Accordingly, the bail application of the applicant **Sheikh Amir Sheikh**, involved in Crime No.02/2025, registered at Narcotics Control Bureau, Regional Unit Raipur, District Raipur (C.G.) for the offence punishable under Sections 20 (B) (ii) (C) & 29 of NDPS Act, is **rejected**.

Sd/-

(Ramesh Sinha)
Chief Justice

Nirala