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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 5861 of 2026**

Chandrakant Sahu @ Patwari S/o Taran Sahu Aged About 20 Years R/o
Behind Sangam Chowk, Charoda, District - Durg, Chhattisgarh.

... Applicant**versus**

State of Chhattisgarh Through Police Station Old Bhilai, District - Durg,
Chhattisgarh.

... Non-applicant

For Applicant	:	Mr. T.K. Jha, Senior Advocate assisted by Mr. Bhaskar Jha, Advocate
For Non-applicant/State	:	Ms. Ankita Shukla, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****28.07.2026**

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 applicant who has been arrested in connection with Crime No. 503/2025 registered at Police Station - Old Bhilai, District - Durg (C.G.) for the offence under Sections 8, 22(c) and 27(a) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. Case of the prosecution, in brief is that on 11.12.2025, the police officials of Police Station Purani Basti, District Durg (C.G.), received credible information from an informant that two persons were



standing near the Bricks Factory at Dadar and were in possession of prohibited intoxicant tablets, allegedly intending to sell the same to prospective customers. Acting upon the said information, the police party proceeded to the spot and conducted a raid, where two persons, namely Kamal Kishore @ Bhim and the present applicant, Chandrakant Sahu @ Patwari, were apprehended. Upon search, both were found carrying white bags, from which 240 tablets each of a prohibited intoxicant namely "PROXICO SPAS TABLET" were allegedly recovered, making a total recovery of 480 tablets valued at Rs. 3,660/-. On the allegation of illegal possession and intended sale of the said intoxicant tablets, both accused persons were arrested on the same day, i.e., 11.12.2025. During the course of investigation, on the basis of the memorandum statements of the accused persons, four other persons were also implicated and arrested. Upon completion of the investigation, the police filed Charge-sheet No. 102/2026 dated 03.04.2026 before the learned Trial Court. Hence, the present bail application.

3. Learned senior counsel appearing for the applicant submits that the applicant is innocent and has been falsely implicated in the present case and that he has been arrested merely on the basis of suspicion without there being any cogent material to connect him with the alleged offence. It is contended that the quantity of the contraband allegedly seized from the possession of the applicant falls within the intermediate quantity category and is less than the commercial quantity prescribed under the relevant provisions of law. He further submits that out of the six accused persons implicated in the



present case, the remaining four co-accused persons have already been enlarged on bail by the learned Trial Court. He further submits that charges have recently been framed against the accused persons and the trial is still at its initial stage. There are as many as 12 prosecution witnesses cited by the prosecution, and their examination is likely to take a considerable period of time for completion. He further submits that the applicant has no criminal antecedents, the charge-sheet has been already been filed before the competent Court, and he is in jail since 11.12.2025 and conclusion of the trial is likely to take quite long time. Therefore, he prays for grant of regular bail to the applicant.

4. On the other hand, learned Panel Lawyer opposes the bail application of the present applicant 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 applicant. She further submits that the applicant was apprehended on the basis of credible information while being in conscious possession of prohibited intoxicant tablets intended for illegal sale and that a total of 480 PROXICO SPAS Tablets were seized from the possession of the accused persons. It is contended that the offence is serious in nature and has a direct bearing on public health and society at large. She further submits that pursuant to the direction issued by this Hon'ble Court on 02.07.2026, an affidavit has been filed on behalf of the prosecution clarifying the quantity of Tramadol contained in the seized tablets. As per the said affidavit and the seizure and inventory records, the total quantity of



Tramadol contained in the seized 480 tablets has been found to be 182.4 grams, which is also reflected in the charge framed by the learned Special Court, NDPS Act, Durg in Special Case No. 39/2026. Copies of the charge and seizure-related documents have been filed as **Annexure R/1**. Considering the quantity of the contraband involved, the nature of the allegations and the manner in which the offence was allegedly committed, no indulgence is warranted in favour of the applicant. Therefore, she prays that the present applicant is not entitled for grant of bail.

5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the nature of allegations, the quantity of the contraband allegedly seized, the period of custody undergone by the applicant, and the stage of the trial, and further takes note of the affidavit filed by the prosecution pursuant to the order dated 02.07.2026, wherein it has been stated that the total quantity of Tramadol contained in the seized 480 PROXICO SPAS Tablets is 182.4 grams. *Prima facie*, the quantity involved falls below the prescribed commercial quantity and is, therefore, an intermediate quantity. It is also pertinent to note that the present applicant has no criminal antecedents and in the present bail application the charge-sheet has been filed before the competent Court and he is in jail since 11.12..2025 and conclusion of the trial may take some time, therefore, this Court is of the view that the applicant is entitled to be released on bail in this case.



7. Accordingly, the bail application of the applicant is **allowed**. Let the Applicant – **Chandrakant Sahu @ Patwari**, involved in Crime No. 503/2025 registered at Police Station - Old Bhilai, District - Durg (C.G.) for the offence under Sections 8, 22(c) and 27(a) of the Narcotic Drugs and Psychotropic Substances Act, 1985, be released on bail on furnishing **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



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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**

Rahul Dewangan