



2026:CGHC:32424



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 6178 of 2026**

Gopal Ashudani @ Somu S/o Devadas Ashudani Aged About 29 Years R/o R.D. Colony, Diprapara L/211, Police Station D.D. Nagar Raipur, District-Raipur (C.G.)

... Applicant**versus**

State Of Chhattisgarh Through- Station House Officer, Police Station D.D. Nagar, District – Raipur (C.G.)

---- Non-applicant

For Applicant	:	Mr. C.R. Sahu, Advocate.
For Non-Applicant/State	:	Ms. Palak Dwivedi, Panel Lawyer.

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

1. The applicant has preferred this First Bail Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Crime No.192/2026, registered at Police Station- D.D. Nagar, District – Raipur (C.G.) for the offences punishable under Section 22(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985, for short, the NDPS Act.
2. The prosecution story in brief, is that the Police of Police Station – D.D. Nagar, District – Raipur (C.G.) has received a secret information through the informant and on the basis of such information, the Police has seized a total of 275 Grams of Nitrazepam Tablets from the possession of the present applicant. Thereafter, the applicant was arrested and the crime has been registered by the Police.



3. It has been argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case. It is further submitted that the charge-sheet has been filed in the present case. The applicant is in jail since 21.03.2026. The conclusion of the trial is likely to take some time, therefore, she prays for grant of bail.
4. On the other hand, the learned counsel for the State opposes the bail application and submits that a total of 275 Grams of Nitrazepam Tablets has been seized from the possession of the present applicant. It is further submitted that there are a total of 2 criminal antecedents of the applicant out of which one is under the NDPS Act which is pending. Hence, this bail application is liable to be dismissed.
5. I have heard learned counsel for the parties and perused the material available on record.
6. Taking into consideration the fact that the quantity of contraband article seized from the possession of the applicant i.e. 275 Grams of Nitrazepam Tablets, further that there are a total of 2 criminal antecedents of the applicant out of which one is under the NDPS Act which is pending, for which no any plausible explanation has been given, he is a habitual offender and he has misused the bail granted to him earlier and it cannot be a case of false implication, and also in light of the judgment rendered by the Supreme Court in **Deepak Yadav v. State of Uttar Pradesh & Another**, reported in **(2022) 8 SCC 559**, wherein the Hon'ble Supreme Court had cancelled the bail granted to the accused therein on the ground that the accused had previous antecedents, this Court is of the opinion that it is not a fit case to enlarge the applicant on regular bail.



7. Accordingly, this bail application of applicant – **Gopal Ashudani @ Somu**, involved in Crime No.192/2026, registered at Police Station-D.D. Nagar, District – Raipur (C.G.) for the offences punishable under Section 22(B) of the NDPS Act, is **rejected** at this stage.
8. Needless to say that the learned trial Court is at liberty to proceed with the trial and conclude the same, expeditiously.
9. The Office is directed to provide a certified copy of this order to the trial Court for necessary information and compliance forthwith.

Sd/-
(Ramesh Sinha)
Chief Justice

Rajshekhar