



2026:CGHC:3394

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8550 of 2025

1 - Sanjay Ahake S/o Sukhdev Ahake Aged About 34 Years R/o Village Ranikhedi, P.S. Chichoul, District Baitulul (M.P.)

2 - Parasram Panddham S/o Fagna Panddham Aged About 56 Years R/o Village Ranikhedi, P.S. Chichoul, District Baitulul (M.P.)

... Applicants

versus

State of Chhattisgarh Through Station House Officer, Police Station Bagbahara, District Mahasmund (C.G.)

... Non-applicant

For Applicants	: Mr. Nikhil Wadhwani, Advocate
For Non-applicant/State	: Mr. Saumya Rai, Deputy Govt. Advocate

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

20.01.2026

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. 185/2025 registered at Police Station Bagbahara, District Mahasmund (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 the police of Police Station Bagbahara, District Mahasmund (C.G.), received a secret

information from the informant and on the said information police conducted a raid and seized 08.100 Kgs of Ganja from the joint possession of the present applicants. Thereafter, offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 has been registered against present applicants.

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 seized 08.100 Kgs of 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 under the NDPS Act and they have been in jail since 19.08.2025 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. He further submits that from the joint possession of the present applicant total 08.100 Kgs of Ganja was seized, and applicant No.1 has one criminal antecedent under the IPC, therefore, 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 under the NDPS Act 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 19.08.2025 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 – **Sanjay Ahake** and **Parasram Panddham**, involved in Crime No. 185/2025 registered at Police Station Bagbahara, District Mahasmund (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**

Rahul Dewangan