2026:CGHC:15144

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8981 of 2025

Sanjeev Kumar Chhabda @ Suchcha Singh S/o Shadilal Chhabda Aged About 53 Years R/o Kansa Chowk Tikrapara, Police Station- City Kotwali, Bilaspur, District : Bilaspur, Chhattisgarh

... Applicant

versus

State of Chhattisgarh Through Station House Officer, Police Station- Civil Line, District : Bilaspur, Chhattisgarh

... Non-Applicant

For Applicant	:	Mr. Rajeev Kumar Dubey and Ms. Maya Chaturvijani, Advocates.
For Non-Applicant/State	:	Ms. Anusha Naik, Deputy Government Advocate.

PREETI KUMARI
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Date: 2026.04.02 13:11:27 +0530

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

01.04.2026

1. The applicant has preferred this First Bail Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as she has been arrested in connection with Crime No.1004/2024, registered at Police Station – Civil Line, District- Bilaspur (C.G.) for the offence punishable under Sections 21, 22 and 29 of NDPS Act.

2. The case of the prosecution, in brief, is that on 21.10.2024 at about 20:35 hours, information was received from an informer that a girl named Srishti alias Moti was selling narcotic ampoules, which were kept in the dickey under the seat of a white-colored Activa bearing registration No. CG-10

BQ-1687, at the crossroads in front of the temple near Bhartiya Nagar Income Tax Office. On receiving this information, the police conducted a raid and recorded the memorandum statement of the accused, Srishti, in which she stated that she was selling narcotic ampoules in collusion with her stepmother, Godavari Bai alias Ginni. From the possession of the accused persons, narcotic ampoules, namely Buprenorphine Injection IP 0.3 ml and Rexogesic 2 ml ampoules, totaling 150 ampoules worth Rs. 7,500/-, sale proceeds amounting to Rs. 5,500/-, one Apple mobile phone worth Rs. 1,00,000/-, one pen drive, and an Activa bearing registration No. CG-10 BQ-1687 worth approximately Rs. 1,00,000/- were recovered, making a total value of Rs. 2,13,000/-. The Civil Lines Police Station registered Crime No. 1004/2024 under Sections 21 and 22 of the NDPS Act, and the accused persons were arrested.

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 submitted that the charge-sheet has been filed in this case. It is also submitted that the alleged narcotic substance was not seized from the conscious possession of the present applicant, rather, it was allegedly recovered from other co-accused persons. The applicant has been falsely implicated by the police in a fabricated case. The memorandum of the applicant/accused was recorded on 24.01.2025. On the basis of this memorandum, the applicant/accused has been implicated in two cases, namely, the present case and Crime No. 465/2024 registered at Police Station Takhatpur, District Bilaspur. In both cases, he has been made an accused solely on the basis of the memorandum. No incriminating article related to the alleged offence has been seized pursuant to the memorandum statement of the applicant/accused. From his possession, only a cheque book, ATM card, and a Samsung mobile phone have been

seized. Furthermore, no Call Detail Records (CDR) showing any conversation with the co-accused have been produced. He further submits that the co-accused persons, namely, Kajal Kurre and Anjali Gendle have been granted regular bail by this Court in MCRC Nos. 4265/2025 and 7521/2025 vide order dated 30.06.2025 and 18.09.2025, respectively. Further, another co-accused Naveen Idwani has been granted bail by the Hon'ble Supreme Court in Special Leave Petition No. 19712/2025 on the medical ground. He also submits that out of total 25 prosecution witnesses, only 2 witnesses have been examined by the learned Trial Court till date. On the basis of the call details and mobile data, there is no incriminating or circumstantial evidence to establish that the applicant/accused had any connection or association with any of the other accused persons in the present case. He later submits that the applicant has 11 previous criminal antecedents in which he has already been acquitted, the applicant is in jail since 27.12.2024, and the conclusion of the trial is likely to take quite long time. Therefore, he prays for grant of regular bail to the applicant on the ground of parity.

4. On the other hand, the learned counsel for the State opposes the bail application and submits that the charge-sheet has been filed in the present case and there is 11 previous criminal antecedents of the applicant but she could not dispute the fact that the co-accused has been granted bail by the Hon'ble Supreme Court and by this Court.

5. I have heard learned counsel for the parties and perused the material available on record.

6. After hearing the submissions advanced by learned counsel for the parties as well as considering the fact that the alleged narcotic substance was not seized from the conscious possession of the present applicant,

rather, it was allegedly recovered from other co-accused persons, further the co-accused persons, namely, Kajal Kurre and Anjali Gendle have been granted regular bail by this Court in MCRC Nos. 4265/2025 and 7521/2025 vide order dated 30.06.2025 and 18.09.2025, respectively, another co-accused Naveen Idwani has been granted bail by the Hon'ble Supreme Court in Special Leave Petition No. 19712/2025 on the medical ground, so far as the status of the trial is concerned, out of total 25 prosecution witnesses, only 2 witnesses have been examined by the learned trial Court till date, further the applicant has 11 previous criminal antecedents in which he has already been acquitted, the applicant is in jail since 27.12.2024, and the conclusion of the trial is likely to take quite long time, therefore, this Court is of the opinion that the applicant is entitled to be released on bail in this case.

7. Accordingly, the bail application is allowed and it is directed that the Applicant- **Sanjeev Kumar Chhabda @ Suchcha Singh,** involved in Crime No.1004/2024, registered at Police Station – Civil Line, District-Bilaspur (C.G.) for the offence punishable under Sections 21, 22 and 29 of NDPS Act, be released on bail on his furnishing a **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 she 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 her counsel. In case of her absence, without sufficient cause, the trial court may proceed against her 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 her, in accordance with law, under Section 209 of the 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 her in accordance with law.

8. Office is directed to provide a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-
(Ramesh Sinha)
Chief Justice

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