



2026:CGHC:3665

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No.10511 of 2025

Virendra Singh @ Veer Singh S/o Angat Singh Aged About 42 Years R/o
Vill Korra, P.S. Sariya, District-Sarangarh-Bilaspur Chhattisgarh

... Applicant

versus

State Of Chhattisgarh Through Station House Officer, P.S. Jutmil
Raigarh, District- Raigarh (C.G.)

... Non-applicant

For Applicant : Mr. Shailendra Dubey along with Mr.
Rohan, Advocates.

For Non-Applicant/State : Mr. Soumya Rai, Dy. G.A.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

21.01.2026

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 applicant who has been arrested in connection with Crime
No.212/2025 registered at Police Station – Jutmil, District-
Raigarh (C.G.), for the offence punishable under Sections 20(b)
and 29 of the Narcotic Drugs and Psychotropic Substances Act,
1985 as also under Section 111 of BNS.

2. Case of the prosecution is that on 10.06.2025, the Police Station Jutmill, District Raigarh seized 40 packets of ganja; total 40.172 kg from Swift car bearing registration No.-OR 17 G-4546 and 63 packets of ganja 64.818 kg from Grand Vitara car bearing registration No.-CG13 BB-9200 from the possession of the applicant/accused, which were being illegally transported for the purpose of sale. The accused were arrested and their memorandum statement was recorded and one Swift car, Grand Vitara car and four mobile phones of Vivo Company were seized and after investigation in the case, charge sheet has been filed. On the basis of the said memorandum statements, the present applicant was arrested on 10.06.2025.
3. Learned counsel for the applicant submits that the present applicant is innocent and has been falsely implicated in this case. He further submits that no seizure has been made from the possession of the present applicant and as per the independent Forensic GPS Camera report issued by Dhenge Forensic Consultancy, vehicle bearing No.CG13 BB 9200 was not stopped during the time i.e. 3.40 pm as mentioned by the police for carrying out search. He further submits that the GPS data shows that the said vehicle moved uninterruptedly during 3.18 pm to 4.22 pm on the alleged date of incident, which goes to show that the place and time of search were fabricated leading to destruction of the case of the prosecution at the very inception. He lastly submits that in view of the prosecution's doubtful version

regarding the time, place, and manner of the search, the rigours of Section 37 do not survive and as conclusion of the trial may take some time, therefore, the present applicant may be granted regular bail.

4. On the other hand, the learned State counsel opposes the bail application and submits that the charge-sheet has been filed in the present case. He further submits that huge quantity of contraband i.e. 40 kgs was seized and kept in the vehicle bearing registration No.OR 17G 4546, which was driven by co-accused Ravi Shankar Goutam and the present applicant was sitting in it. He further submits that apart from the present offence, two other offences have been registered against the present applicant i.e. Crime No.126/2008 under Sections, 450, 307 and 325/34 IPC and Crime No.133/2011 under Section 20(b) of the NDPS Act registered at PS Sariya, District Sarangarh, Bilaigarh as such, he is a habitual offender, therefore, is not entitled to be released on bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. In compliance of the Court's order dated 06.01.2026, the Investigating Officer Prashant Rao Aher has filed his personal affidavit, which reads as under:-

"XXX

XXX

XXX

3. That, in compliance of the Hon'ble Court's direction, it is most humbly and respectfully submitted that, the present accused Applicant has been arrested

on 10.06.2025 by the Police of Police Station Jutemill, Raigarh, District Raigarh (C.G.) in connection with Crime No. 212/2025, registered at Police Station Jutemill, Raigarh, District Raigarh (C.G.) against the accused Applicant for the offence punishable under Sections 20 (b) and 29 of the Narcotic Drugs & Psychotropic Substances Act, 1985.

4. That, on 10.06.2025, the Police of Police Station Jutemill, Raigarh, District Raigarh (C.G.) seized 40 packets of Ganja, total 40.172 KGs in a Swift Car Number OR 17 G 4546 and 63 packets of Ganja total 64.818 KG in a Grand Vitara Car No. CG 13 BB 9200 from the possession of the accused applicant while being illegally transported for the purpose of sale. That, total contraband (Ganja) article seized from both car is 104.99 KG.

5. That, on the basis of the information received from an informer, Sub Inspector Girdhari Sao of Police Station Jute Mill, Raigarh, District Raigarh (C.G.) conducted a raid on 10.06.2025 in the jurisdiction of Village Badmal, Police Station Jutemill, District Raigarh and seized 40 packets of Ganja (contraband), weighing approximately 40.172 KG in a Swift Card No. OR 17 G 4546 and 63 packets of ganja weighing approximately 64.818 KG in a Grand Vitara Car No. CG 13 BB 9200 from the possession of the accused persons while being illegally transported for the purpose of sale. The Crime No. 212/2025 was registered under Section 20 (B) of the NDPS Act, 1985 and the present accused applicant and other accused have been arrested and the matter was taken into investigation.

6. That, during investigation, it was found that, 30 packets of illegal drug Ganja wrapped in a dull coloured tape recovered from the possession of the present accused applicant Virendra Singh @ Veer Singh, which were weighed separately on an electronic weighing machine which were found to be total 31.086 KG worth approximately Rs. 3 Lacs were sealed, seized as evidence and was taken into police custody. One Grand Vitara Car No. CG 13 BB 9200 worth approximately Rs. 15 Lacs and one Vivo Mobile Phone of Vivo Company having SIM No. 8770886615 worth approximately Rs. 25000 have been seized from the possession of the present accused applicant Virendra Singh @ Veer Singh and the same as evidence was seized and was taken into policy custody.

7. That, during the investigation, it was revealed that, total 104.99 KG Ganja (Contraband) has been seized in the case from the possession of the accused persons and the said offence is very serious in nature.

8. That, the memorandum statement of the another accused Ravi Shankar Goutam was duly recorded in front of the witnesses wherein, he has categorically deposed in his memorandum statement that, he is resident of Jhansi, Uttar Pradesh and works as a Contractor and in case of loss in contracting, he has contacted the preset accused applicant Virendra Singh @ Veer Singh, Deepak Johri, Pramod @ Lala and Jagat Chauhan, residents of State of Chhattisgarh, through his mobile numbers 7985407171 and 9506582329 and all of them together hatched a plan to do ganja business. After reaching Sonpur District, Odisha, they all purchased 103 KG of Ganja. He kept 40 KG of Ganja in his Car No. OR 17 G 4546 and 63 KG of Ganja in Grand Vitara Car No. CG 13 BB 9200 and while on the way, Pramod @ Lala and Jagat Chauhan stopped for breakfast at Kanaktura, Odisha and he kept 40 KG Ganja in OR 17 G 4546 for illegal sale. The present accused applicant Virendra Singh @ Veer Singh and Deepak Johri kept the remaining 63 KG of Ganja in Grand Vitara Car No. CG 13 BB 9200. It is further deposed by him that, he alongwith his associates Virendra Singh @ Veer Singh, Deepak Johri, Pramod @ Lala and Jagat Chouhan, have been illegally purchasing marijuana from Sonpur, Odisha for sale in a Car numbered OR 17 G 4546.

9. That, the memorandum statement of the present accused applicant Virendra Singh @ Veer Singh was duly recorded in front of the witnesses wherein, he has categorically deposed in his memorandum statement that, he is resident of Korra, PS Sariya, District Sarangarh Bilaigarh and he does farming and former Sarpanch of the Gram Panchayat. Due to loss in Panchayat work, he contacted the accused Ravi Shankar Goutam, resident of Uttar Pradesh and Deepak Johri, Pramod @ Lala and Jagat Chouhan, residents of Chhattisgarh, in his mobile number 8770886615 and they all together made a plan to do the business of Ganja and as per the plan, on 10.06.2025, he purchased 103 KG Ganja from Sonpur District, Odisha and he kept 63 KG ganja in his Car No. CG 13 BB 9200 and the remaining 40 KG of Ganja was kept in Ravi Shankar Goutam and Pramod and Jagat's Card No. OR 17 G 4546. While coming on the way. Pramod @ Lala and Jagat Chouhan both stopped for breakfast at Kanaktura, Odisha and he kept 63 KG ganja in Car No. CG 13 BB 9200 for illegal sale and another accused Ravi Shankar Goutam kept the remaining 40 KG Ganja in Car No. OR 17 G 4546. It is further deposed by him in his memorandum statement that, he alongwith his associate have bought Ganja at cheap rates from Sonpur, Odisha and the same was being transported for illegal sale.

10. That, there is two previous criminal antecedents of the present accused applicant Virendra Singh @ Veer Singh, which is evident from the letter, issued by the SHO, PS Jutemill, Raigarh, District Raigarh (C.G.), copy whereof is being annexed herewith as Annexure R/1 for kind perusal of this Hon'ble Court.

11. That, if the present accused Applicant is granted bail, he will certainly abscond which will have an adverse effect on the investigation of the case and his morale will be boosted and he will again form his own gang and repeat the serious crime under NDPS Act which will create resentment in the society, as he has been arrested after considerable efforts made by the concerned police authorities.

12. That, in the case, the present accused Applicant is highly likely to abscond if granted bail, he could be prevented from committing other crimes and could influence and mislead witnesses in the case.

13. That, the Deponent herein is duty bound to adhere and comply with the direction issued by this Hon'ble Court from time to time and it shall be his most sincere endeavour to ensure implement action with the coordination of the Police Officials as early as possible.

14. That, the contents of the attached Affidavit at Paragraphs No. 01 to 13, have been drafted under my instruction and the contents thereof are true and correct on the basis of the records, available in the office."

7. Considering the facts and circumstances of the case, the fact that huge quantity of contraband ganja, i.e., 40 kgs was kept in the vehicle bearing registration No.OR 17G 4546, which was driven by co-accused Ravi Shankar Goutam and the applicant was

sitting therein and particularly considering that apart from the present offence, the applicant was involved in two other offences i.e. Crime No.126/2008 under Sections, 450, 307 and 325/34 IPC and Crime No.133/2011 under Section 20(b) of the NDPS Act registered at PS Sariya, District Sarangarh, Bilaigarh 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.

8. Accordingly, the bail application of the applicant – **Virendra Singh @ Veer Singh**, involved in Crime No.212/2025 registered at Police Station – Jutmil, District- Raigarh (C.G.), for the offence punishable under Sections 20(b), and 29 of NDPS ACT, is hereby **rejected**.
9. Needless to say that the trial Court concerned is at liberty to proceed and conclude the trial expeditiously.
10. 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