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2026:CGHC:9534

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 269 of 2026

Dharmendra Singh S/o Puran Singh Aged About 44 Years R/o Makhan
Vindi P.S. Jadiyahalal Guru, District Amritsar Punjab.

... Applicant

versus

State Of Chhattisgarh Through Station House Officer, Police Station
Amanaka, Raipur, District Raipur C.G.

... Respondent

For Applicant	: None.
For	: Ms. Monika Thakur, PL.
Respondent/State	

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

24/02/2026

1. None appears nor is any representation made on behalf of the applicant to press this bail application when the case is called out.
2. It transpires from the record that the applicant is in jail since 15/04/2025. Hence, the Court proceeds to consider and hear the

bail application of the applicant with the assistance of the State counsel.

3. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the applicant who has been arrested in connection with Crime No.118/2025 registered at Police Station Amanaka, Raipur, District Raipur C.G. for the offence punishable under Section 21(B) of the N.D.P.S. Act.
4. Case of the prosecution, in brief, is that on 14.04.2025, acting on information received from an informant, the police of Police Station Amanaka, Raipur, proceeded in compliance with the mandatory provisions of the NDPS Act and conducted action at the spot near Kaka Dhaba, behind the Sulabh toilet at Tatibandh. From the possession of the applicant/accused Dharmendra Singh, 7.85 grams of illegal narcotic substance heroin (chitta) was seized, and from the possession of co-accused Amritpal, 4.84 grams of illegal narcotic substance heroin (chitta) was seized. Thus, a total of 12.69 grams of narcotic substance heroin (chitta) was recovered from the joint possession of the accused persons.
5. Learned counsel for the State opposes the bail application. She would submit that from the possession of the applicant 7.85 grams of illegal narcotic substance heroin (chitta) was seized and from the possession of co-accused Amritpal, 4.84 grams of illegal narcotic substance heroin (chitta) was seized, thus a total of 12.69

grams of narcotic substance heroin (chitta) was recovered from the joint possession of the accused persons which is intermediate quantity. She would further submit that applicant has no criminal antecedent in the State of Punjab but there is one case of NDPS in Raipur of the year 2023, therefore, this bail application is liable to be rejected.

6. I have perused the case diary.
7. Considering the fact that from the possession of the applicant 7.85 grams of illegal narcotic substance heroin (chitta) was seized and from the possession of co-accused Amritpal, 4.84 grams of illegal narcotic substance heroin (chitta) was seized, thus a total of 12.69 grams of narcotic substance heroin (chitta) was recovered from the joint possession of the accused persons which is intermediate quantity but considering the fact that the applicant has one case under the NDPS Act in Raipur of the year 2023 for which there is no explanation given in the bail application, as such he is a habitual offender 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, therefore this Court is of the opinion that this is not a fit case to enlarge the applicant on regular bail.
8. Accordingly, the bail application of applicant **Dharmendra Singh**

involved in Crime No.118/2025 registered at Police Station Amanaka, Raipur, District Raipur C.G. for the offence punishable under Section 21(B) of the N.D.P.S. Act, is **rejected**.

9. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information.

Sd/-

(Ramesh Sinha)

CHIEF JUSTICE