



2026:CGHC:10560



2026:CGHC:1056

**NAFR**

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**MCRC No. 1025 of 2026**

Sushila Bai W/o Atul Solanke Aged About 53 Years R/o Mahunagar, Satara Parisar, Police Station- Satara, District - Aurangabad (Maharashtra)

**... Applicant**

**versus**

State of Chhattisgarh Through District Magistrate, Raigarh, District - Raigarh C.G.

**... Non-Applicant**

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For Applicant : Mr. Ashish Gupta and Ms. Minakshi Gupta,  
Advocate.

For Non-Applicant/State : Ms. Ankita Shukla, Panel Lawyer.

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**Hon'ble Shri Ramesh Sinha, Chief Justice**

**Order on Board**

**28.02.2026**

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.12/2025, registered at Police Station – G.R.P. Tahsil and District- Raigarh (C.G.) for the offence punishable under Sections 20 (B) of NDPS Act.
2. As per the prosecution case, on 14.08.2025 at about 6:50 hours, the police officials received information from an informant that the applicant would be present at Platform Nos. 2–3 of Raigarh Railway Station (west side towards Bilaspur), District Raigarh (C.G.). Acting on this information, the police officials conducted a raid and recovered 12 kg of



contraband from the illegal possession of the applicant. Thereafter, the applicant was arrested for the offence punishable under Section 20(B) of the NDPS Act.

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 from the possession of the applicant intermediate quantity of the psychotropic substance ganja has been seized, and therefore, it will not attract the rigors of Section 37 of the NDPS Act as the commercial quantity of ganja as prescribed under the schedule is more than 20 kgs and from the possession of the applicant only 12 KG of Ganja has been seized. It is further submitted that there is one criminal antecedents of the applicant and he is in jail since 14.08.2025 and the conclusion of the trial is likely to take quite long time. Therefore, he prays for grant of regular bail to the applicant.
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 two criminal antecedents of the applicant under the Excise Act. It is submitted that a total of 12 KG of Ganja has been recovered from the possession of the applicant, therefore, this bail application is liable to be rejected.
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 quantity of Ganja seized from the



possession of the applicant i.e. a total of 12 Kgs, which is less than the commercial quantity, also considering the fact that charge-sheet has been filed, there is two criminal antecedents of the applicants under the Excise Act, further that the applicant is in jail since 14.08.2025 and the conclusion of the trial is likely to take sometime, therefore I am 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- **Sushila Bai**, involved in Crime No.12/2025, registered at Police Station – G.R.P. Tahsil and District- Raigarh (C.G.) for the offence punishable under Sections 20 (B) 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. However, this Court hope and trust that the trial Court shall make an earnest endeavour to conclude the trial within a period of **six months** from the date of receipt of a certified copy of this order, if there is no legal impediment.
9. 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**