IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 4073 of 2026

Sanjay Pradhan, Age- 51 Years, S/O Kaibalya Pradhan, resident of Vill- Bani nali, Kishoreganj P.O + P.SHandpass, Dist Angul, Odish.

..... … Petitioner

Versus

The State of Jharkhand

..... … Opposite Party

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner : Mr. Rahul Dev, Advocate.
For the State : Mr. B. Shastri, A.P.P.

03/ 24.07.2026 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner is apprehending his arrest in connection with G.R.P.S. Case No. 72 of 2025, registered for the offence under Sections 8(c)/20(b)(ii)(c)/29 of the NDPS Act, pending in the Court of learned District and Additional Sessions Judge-XVI, Dhanbad.

3. Learned counsel appearing for the petitioner submits that the name of the petitioner has come only on the basis of confessional statement and the petitioner is nothing to do with the seized ganja, which has been recovered from two persons, who were travelling in Rajdhani Express. He next submits that the petitioners are having no criminal antecedent and disclosure to that effect has been made in para-11 of the petition. On these grounds, he submits that anticipatory bail may kindly be provided to the petitioner.

4. Learned A.P.P. appearing for the State has opposed the prayer and submits that the name of the petitioner has come on the basis of confessional statement of the apprehended co-accused. On this ground, he submits that anticipatory bail may kindly be rejected.

5. It transpires that the name of this petitioner has come on

the basis of confessional statement and the petitioner is having no criminal antecedent and disclosure to that effect has been made in para-11 of the petition and further the Hon'ble Supreme Court in the case of ***Tofan Singh v. State of Tamil Nadu***, reported in **(2021) 4 SCC 1** has held that confessional statement under Section 67 of the NDPS Act is inadmissible. Paragraph 158.2 of the said judgment reads as under:-

> *"158.2 That a statement recorded under Section 67 of the NDPS Act cannot be used as a confessional statement in the trial of an offence under the NDPS Act."*

6. In the attending facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner, above named.

7. Accordingly, the petitioner, named above, is directed to surrender before the learned court within three weeks from today and in the event of his surrender / arrest, the petitioner shall be released on bail, on furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each, to the satisfaction of learned District and Additional Sessions Judge-XVI, Dhanbad, in connection with G.R.P.S. Case No. 72 of 2025, subject to conditions as laid down under Section 482 (2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sanjay Kumar Dwivedi, J.)

Dated:-24.07.2026
Amitesh/-