

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33953 of 2025

Arising out of PS. Case No.-64 Year-2025 Thana- DHAMDAHA District- Purnia

Chandan Mandal, Son of Rajendra Mandal @ Rajesh Mandal, Resident of Ward No.- 11, Mogalia Purandaha (West), Police Station - Dhamdaha, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate
		Mr. Mayank Ranjan, Advocate
		Mr. Avinash Kumar, Advocate
For the Opposite Party/s:		Mrs. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 20-06-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

2. The petitioner is apprehending his arrest in a case instituted for the offences under Sections 8, 20(b)(ii)(c) of NDPS Act. He has one criminal antecedent.

3. The prosecution case in brief is to the effect that secret information was received that Fakir Mandal and Vijay Sah were coming with contraband ganja, a raiding party was prepared and those two persons were intercepted and on inquiry they disclosed their names as Fakir Mandal and Vijay Sah and on search 10 KGs. ganja was recovered from the gunny bag. It is further alleged that the arrested persons namely Fakir Mandal



and Vijay Sah disclosed that the supplier of such ganja was Chandan Mandal (Petitioner). It is also alleged that on the indication of the co-accused Fakir Mandal the field of the petitioner was searched and 31 Kgs. ganja was recovered from the farmhouse of the petitioner..

4. It is submitted by Mr. Ramakant Sharma, learned senior counsel for the petitioner that admittedly the petitioner was not apprehended with the incriminating article. It is further submitted by learned senior counsel that the recovery of 31 Kgs. ganja is shown from the farmhouse (Kamat) of the petitioner which is in the field and is accessible to all. It is also submitted by learned senior counsel that the petitioner has falsely been implicated in this case by the apprehended person out of grudge and the land does not belong to the petitioner. It is lastly submitted by learned senior counsel for the petitioner that the petitioner has one criminal antecedent of similar nature.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and has stated that 31 Kgs. of ganja was recovered from the farmhouse (Kamat) of the petitioner and he carries one criminal antecedent of similar nature as such he should not be granted liberty of anticipatory bail.



6. Considering the aforesaid facts and circumstances of the case, the petitioner, above-named, is directed to be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Purnea in connection with Dhamdaha P.S. Case No. 64 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of BNSS as well as subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) If the petitioner is found to be



engaged in any other incident of similar nature the prosecution shall be at liberty to approach the learned Court below for cancellation of bail of the petitioner.

(v) And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of the same or in the name of verification.

7. In view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Purnea within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation



of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.

8. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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