

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56454 of 2025

Arising Out of PS. Case No.-48 Year-2025 Thana- Sri Nagar District- Purnia

Gopal Kumar Mandal @ Gopal Roy S/o Vishundeo Mandal Resident of
village- Hasa, P.S. Raniganj, District- Arariya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate
	:	Mr. Kumar Rajdey, Advocate
	:	Mr. Arjun Prasad, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-09-2025 Heard Mr. N.K. Agrawal, learned Senior Counsel
for the petitioner and learned APP representing the State.

2. The petitioner is apprehending his arrest in connection with Srinagar P.S. Case No. 48 of 2025 registered for the offence under Sections 8, 20(b)(ii), 25 and 29 of the Narcotic Drugs and Psychotropic Substance Act, 1985 and section 111 of the Bharatiya Nyaya Sanhita, lodged on 08.05.2025 by the informant, Deepak Kumar.

3. As per the prosecution story, the informant alleged that on secret information, an auto was intercepted and there is recovery/seizure of 5.704 Kilogram ganja. Those apprehended are/were Md. Abbas and Jiwachh Shara, they informed that it was the ganja/auto was handed over to them by one Gawaskar



Rai with whom they work in this business of ganja. The statement further records that they work for this petitioner. This led to the F.I.R.

4. Learned Senior Counsel submits that against the criminal antecedent of the three accused persons who have been named in the F.I.R., paragraph no.3 would show that he has no criminal antecedent, neither the auto belongs to him nor he has any connection with the aforesaid accused persons apprehended, only because the name has come, he has been implicated.

5. Learned APP Mr. Jitendra Kumar Singh opposes the prayer submitting that those apprehended named him.

6. Considering the submissions of the parties as also the fact that main role has been attributed to the two apprehended persons whereas the auto belongs to Gawaskar Rai, the name of the petitioner has come at the fag end, do not have criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. The court concerned shall look into the antecedent of the petitioner and if it is found that contrary to the statement made in paragraph no.3 of the petitioner, if at all he has criminal antecedent, the present order shall become infructuous.

8. Let the petitioner be released on bail in the event of



arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge, NDPS Act, Purnea, in connection with Srinagar P.S. Case No. 48 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for



cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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