IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No.11142 of 2025

Gulam Mustafa Dalal, aged about 40 years, Son of Jahur Muhammad Mandal @ Dalal, Resident of Muslim Pada, Punisol, Onda, P.O. & P.S.- Onda Bankura, Dist.- Bankura, West Bengal.

.... …. Petitioner

Versus

The State of Jharkhand .... Opposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Ms. Sushila Kumari, Advocate
For the State : Mr. Vineet Kr. Vashistha, Spl.P.P.

Order No.03 Dated-19-12-2025

Heard the parties.

The petitioner has been made accused in connection with NDPS Case No. 01 of 2025 arising out of Chas P.S. Case No. 67 of 2025 registered for the offences punishable under Sections 15/18/25 of NDPS Act.

This is the second journey of the petitioner with the prayer for regular bail. Earlier the prayer for regular bail of the petitioner was rejected vide order dated 17.06.2025 passed in B.A. No.4627 of 2025.

Learned counsel for the petitioner submits that the fresh ground is that so far three prosecution witnesses have been examined out of five prosecution witnesses; out of whom, PW-2 has stated the involvement of the petitioner in transporting 118.432 KG of Doda which was recovered from the vehicle driven by him and he has identified the petitioner in the court to be the person who was illegally transporting the product in the vehicle. It is next submitted that the allegation against the petitioner is false. It is also submitted that the petitioner has been in custody since 10.04.2025 as is evident from para-17 of the instant bail application. It is further submitted that the petitioner is ready and willing to co-operate with trial of the case. Hence, it is submitted that the petitioner be released on bail.

Learned counsel appearing for the State on the other hand

opposes the prayer for regular bail of the petitioner and submits that since Doda in commercial quantity has been recovered, the rigorous of Section 37 of the N.D.P.S. Act is attracted in this case and in the absence of any material available in the record to show that the allegation against the petitioner is false; or for that, he is not guilty of the offence and that he is not likely to commit any offence while on bail, the petitioner ought not be admitted to bail. It is next submitted that there is every chance of the petitioner absconding and tampering with the evidence, if released on bail. Hence, it is submitted that the petitioner ought not to be released on bail.

Considering the serious nature of the allegations against the petitioner and the evidence available in the record which has been put forth by the prosecution during the trial as well as the chance of his absconding and tampering with the evidence, if released on bail, this Court is not inclined to admit the above named petitioner to bail.

Accordingly, the prayer for regular bail of the above named petitioner is rejected.

(Anil Kumar Choudhary, J.)

Dated:- 19.12.2025
Saroj/