

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4537 of 2026

Arising Out of PS. Case No.-188 Year-2025 Thana- MAJORGANJ District- Sitamarhi

Sanjay Mandal Son of Baldeo Mandal @ Valdev Mandal R/o Village -
Sonbarsa @ Ward no. 5, Patelnagar, P.S. - Sonbarsa, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Adv.

For the Opposite Party/s : Mr. Navin Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-03-2026 Heard the parties.

2.The petitioner is not named in the F.I.R. and apprehending his arrest in connection with Majorganj P.S. Case No. 188 of 2025 registered for the offences punishable under Sections 8/20(b)(ii)(B) of NDPS Act and 317(5) BNS.

3. As per FIR, 9 kg of *Ganja* was recovered from motorcycle bearing registration no. BR30AE0573 which was under ride of co-accused Aashan Mandal and Bal Kishor Mahto.

4. It is submitted by learned counsel appearing on behalf of the petitioner that co-accused Aashan Mandal is brother-in-law of the petitioner and upon his request, the



petitioner handover his motorcycle to him which was misused by co-accused Aashan Mandal. It is submitted that admittedly the recovery was not made from the possession of this petitioner and as the recovered commercial quantity is less than i.e., 20 kg, therefore, rigors of section 37 of NDPS Act not appears applicable in present case. Petitioner claimed clean antecedent.

5. Learned APP, while opposing the prayer of bail submitted that admittedly petitioner is the owner of the motorcycle from where 9 kg of *Ganja* was alleged to be recovered and, therefore, primarily he appears under culpable mental state in view of Section 35 of NDPS Act.

6. In view of aforesaid factual submission and by taking note of fact as recovery of *Ganja* appears to be made from the motorcycle of the petitioner, accordingly, the prayer of anticipatory bail of the above-named petitioner stands **rejected**.

(Chandra Shekhar Jha, J)

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