

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25545 of 2026**

Arising Out of PS. Case No.-12 Year-2026 Thana- Bathnaha District- Araria

Prakash Mandal @ Prakash Kumar S/o Jogeshwar Mandal Resident of  
Village- Bathnaha Mandal Tola, Ward No. 14, P.S.- Bathnaha, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vijay Kishore Bharti, Advocate  
For the Opposite Party/s : Mr. Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

2      18-04-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for bail in connection  
with Bathnaha P.S. Case No. 12 of 2026 registered for the  
offence punishable under Sections 8/20(b)(ii)(B) of the N.D.P.S.  
Act.

3. The case of the prosecution, in short, is that  
altogether 15 kg of *ganja* were recovered from an auto and the  
petitioner is owner-cum-driver of the auto.

4. Learned counsel appearing on behalf of the  
petitioner has submitted that petitioner is innocent and has  
committed no offence. He has been falsely implicated in this



case. He also submits that from perusal of the FIR, it is clear that the petitioner was carrying the contraband with one Manoj Das and for that he was to be paid Rs. 2,000/-. He also submits that the petitioner is not concerned in any way with the alleged *ganja*. He further submits that nothing has been recovered from the possession of the petitioner. The witnesses of the seizure list are police personnel and the police has not complied with Section 105 of the BNSS while making the seizure. He further submits that the alleged recovery of contraband is though more than small quantity but is much less than commercial quantity. Moreover, a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 23.01.2026.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, NDPS Act, Araria in



connection with Bathnaha P.S. Case No. 12 of 2026.

**(Ashok Kumar Pandey, J)**

Sudhanshu/-

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