

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41791 of 2026

Arising Out of PS. Case No.-61 Year-2026 Thana- BHAGALPUR RAIL P.S. District-
Bhagalpur

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Manoj Mandal S/O- Chhathu Mandal R/O Vill.- Ward No.-4 Chotti Parbatta,
P.S.- Imilepur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh
For the Opposite Party/s : Mr.Yogendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 30-06-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with BGP GRPS P.S. Case No. 61 of 2026 registered for the offences punishable under Sections 8, 20(b)(ii)(B) of NDPS Act.

3. As per FIR total of 6.099 kg of Ganja was recovered from two apprehended co-accused persons namely, Anita Devi and Sugni Devi, who upon arrest at Bhagalpur police station disclosed the name of this petitioner, who provided contraband to them as to deliver the same at Delhi. The mobile number of



petitioner was supplied by apprehended co-accused persons as 7654782059 and 887752065.

4. It is submitted by learned counsel appearing on behalf of the petitioner that merely on the basis of suspicion arising out of disclosure made by apprehended co-accused person, the petitioner was implicated with alleged recovery of contraband. It is submitted that petitioner is the co-villager of apprehended co-accused person and out of local village enmities, he was implicated without having any cogent material. It is submitted that admittedly recovery of contraband was not made from the conscious possession of this petitioner. Petitioner claimed clean antecedent.

5. Learned APP while opposing the prayer of bail submitted that this petitioner was in regular touch with apprehended co-accused person namely, Anita Devi and Sugni Devi through mobile numbers 7654782059 and 887752065 as to deliver the contraband at Delhi. It is submitted that factual aspect of this case is sufficient



to suggest that petitioner was under culpable mental state in view of section 35 of NDPS Act qua seized contraband from co-accused person.

6. In view of aforesaid factual submission and by taking note of fact as petitioner prima-facie found indulged in conversations with apprehended co-accused person *qua* delivery of contraband at Delhi, accordingly, it can be gathered *prima-facie* that the petitioner was under culpable mental state *qua* possession of contraband by apprehended co-accused person in view of section 35 of NDPS Act as discussed aforesaid, accordingly, the prayer of anticipatory bail of petitioner stands **rejected**.

(Chandra Shekhar Jha, J)

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