IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P. (PIL) No. 6691 of 2025

Sunil Kumar Mahto, Aged about -46 Years, son of L.C. Mahto, Resident of Katari Bagan, Samlong, P.O. & P.S.-Namkom, District-Ranchi, Jharkhand-834010 ... Petitioner

Versus

1. The State of Jharkhand Through its Chief Secretary, having its office at Project Building, P.O. & P.S.-Dhurwa, District-Ranchi, Jharkhand
2. The Director General of Police, Jharkhand, Police Headquarters, At-Project Building, P.O. & P.S.-Dhurwa, District-Ranchi, Jharkhand
3. The Senior Superintendent of Police, Dhanbad, At-Dhanbad, P.O. & P.S. Dhanbad, District-Dhanbad, Jharkhand
4. The Officer-in-Charge, Barwadda Police Station, At-Barwadda, P.O. & P.S. –Barwadda, District-Dhanbad, Jharkhand
5. Drug Controller, Government of Jharkhand, At- Project Building, P.O. & P.S.-Dhurwa, Dist- Ranchi, Jharkhand

... Respondents

CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner: Mr. Naveen Kumar , Advocate
For the Respondents: Mr. Piyush Chitresh, A.C. to A.G.

03/Dated: 29.04.2026

1. Heard the learned counsel for the parties.

2. By this Public Interest Litigation, the petitioner has sought for a writ of mandamus upon the State to transfer the investigation of offences mentioned in Barwadda P.S. Case No. 45/2024 (Dhanbad District) dated 15.03.2024 to the CBI.

3. Further writ is also sought to direct the State Drug Control Directorate to issue a circular as prayed for in prayer clause (ii). In prayer clause (iii), the petitioner seeks constitution of a Special Investigation Team (SIT) to revisit all past and pending cases involving manufacture, sale or distribution of contaminated/ spurious drugs. In prayer clause (iv), the petitioner seeks directions to the State Drug Control Directorate to submit

a comprehensive action plan for periodic, unannounced, risk-based inspections of all manufacturing and stocking units in the State and for fixing accountability in such matters.

4. On 21.11.2025, the Coordinate Bench of this Court made the following orders:-

> *"Heard.*
>
> *The instant writ petition highlights the abuse of narcotics and other psychotropic substances and in addition thereto, the rampant use amongst school children of cough syrup, which is openly being sold without any prescription throughout in the State.*
>
> *Therefore, the respondent Nos. 5 and 6 are not necessary party to the instant petition. Accordingly, their names are directed to be deleted from the array of the respondents.*
>
> *At the oral request of the counsel for the petitioner, the Drug Controller, State of Jharkhand, is directed to be arrayed as a party-respondent No. 5 as it is a necessary party.*
>
> *Mr. Piyush Chitresh, learned A.C. to A.G., waives service of notice upon all the respondents.*
>
> *We direct all the respondents to forthwith ensure that no drugs or psychotropic substances are sold or used in the State of Jharkhand and there is a complete crackdown on the sale of cough syrup and other medicines/drugs, without there being a lawful prescription for the same.*
>
> *Necessary raids shall be carried out on the pharmaceutical companies and the pharmacies and the shops selling the cough syrups and while carrying out such raids, the stocks and supply registers etc. shall be duly verified and appropriate action in this regard shall be taken.*
>
> *Compliance report to this effect be filed within three weeks.*
>
> *List on 12.12.2025."*

5. Pursuant to the above order, a counter affidavit dated 10.12.2025 has been filed by the Deputy Superintendent of Police, CID, Jharkhand, Ranchi.

6. As regards the relief of transfer of investigations to the CBI, we note that the Dy. S.P.'s affidavit has stated that the investigations have been transferred to the CID after registering C.I.D. Case No. 12 of 2024. The investigations are in progress and the same should be taken to their logical conclusion in accordance with law.

7. Considering the affidavit filed, we do not think that case has been made out for transfer of investigation to the C.B.I.

8. Insofar as other reliefs are concerned, paragraph 25 of the affidavit of Dy. S.P. is relevant and the same is transcribed below for the convenience of reference:-

> *"25. That it is stated for the past 10 years, the administration has been making concerted efforts to control the growing influence of drugs in the state. As a result, the number of reported cases, seizures, and arrests in narcotics cases has been steadily increasing each year. In 2015, the number of reported cases was 149 and arrests were 171, while in 2024, these numbers increased to 803 and 1062, respectively. As of October this year (2025), a total of 658 cases have been reported under the NDPS Act, with 799 accused arrested. Similarly, in terms of seizures, while 1330 kg of marijuana and 38 kg of opium were recovered in 2015, in 2024, 6617 kg of marijuana and 1211 kg of opium were recovered. Whereas till now this year, a total of 2411.603 kg of ganja, 150.97 kg of opium, 8352.43 grams of brown sugar, approximately 26354.49 kg of doda, along with banned drugs like cough syrup 20044 bottles, tablets-41345 pieces and injections-1815 pieces*

have been seized. This continuous increase reflects the dedicated efforts of the administration."

9. From the perusal of the above details placed on record by means of an affidavit, this problem of this drug menace has to be seriously tackled. Though, we note that some efforts are being made by the Administration, we agree with learned counsel for the petitioner that even further efforts are necessary.

10. Although, it is not possible for us to monitor such matters on a day-to-day basis, we do express the hope that the State and its functionaries will deal with this drug menace with all the seriousness that is due and further, with an iron hand. In this area, there should be no laxity or dereliction of duties by all concerned.

11. We make absolute the directions issued by the Coordinate Bench in the order dated 21.11.2025.

12. Though, we are disposing of this petition, we direct the State to file a compliance report on or before the 30th October 2026, after furnishing an advance copy to the learned counsel for the petitioner.

13. This petition is disposed of.

14. However, the matter should be placed for "Orders" on 5th of November 2026, only to consider the compliance report.

(M. S. Sonak, C.J.)

(Rajesh Shankar, J.)

April 29, 2026
N.A.F.R.
Manoj/ Sharda/Cp.2
Uploaded on 30.04.2026