IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48876 of 2026

Arising Out of PS. Case No.-66 Year-2023 Thana- JOGBANI District- Araria

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Saroj Kumar S/o Umakant Roy Resident of Village- Hanshkosha Dhamdaha, Post- Pipra, P.S.- Jogbani, District- Araria.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Gopal Kumar Jha, Adv.
For the Opposite Party/s : Mr. Anil Kr. Singh No. 1,APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

3 20-08-2026 Heard the parties.

2.The petitioner is named in the F.I.R. and apprehending his arrest in connection with Jogbani P.S. Case No. 66 of 2023 registered for the offences punishable under Sections 20(b)(ii)(B) of NDPS Act.

3. As per FIR the petitioner alleged to be found in possession of 6 kg of *Ganja*/ contraband.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the recovery of *Ganja* as alleged appears made without mandatory compliance of provisions of law related with search, sealing and seizure. It is submitted that even the seizure list prepared in connection with present case nowhere discloses that what is the quantity of *Ganja* as alleged to be recovered from the possession of this petitioner.

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It is submitted that all seizure list witnesses are interested being the departmental witnesses, despite availability of independent witnesses and on this score alone the implication of this petitioner appears questionable. Petitioner claimed clean antecedent

5. Learned APP while opposing the prayer of bail submitted that the FIR categorically suggest that recovery of 6 kg of *Ganja* was made from the motorcycle of this petitioner and moreover, upon FSL examination seized material was found *Ganja*. It is submitted that the recovery was made from conscious possession of this petitioner and as such his culpable mental state *qua* possession of contraband cannot be viewed with doubt.

6. In view of aforesaid factual submission and by taking note of fact as FIR primarily suggest recovery of contraband i.e., *Ganja* from the motorcycle of this petitioner, accordingly, the prayer of anticipatory bail of above-named petitioner stands rejected.

(Chandra Shekhar Jha, J)

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