

In the Court of Sessions Judge/Special Judge (NDPS), Patna

BAIL APPLICATION No.- 1263/2026
(Arising out of Mal Salami P.S. Case No.258/2026)

Mangal Kumar @ Mangal Sharma

-----**Accused-Petitioner**

Vs.

The State of Bihar

-----**Opposite party**

Date

ORDER

06-06-2026

1. The present application for regular bail has been filed on behalf of the **accused-petitioner, Mangal Kumar @ Mangal Sharma**, who is in custody since 01.05.2026, in connection with **Mal Salami P.S. Case No. 258/2026** dated 30.04.2026, registered under Sections 8(c)/21(b) of the NDPS Act.
2. Heard Sri R. Prasad, learned counsel for the accused-petitioner and Sri Ashok Kumar Sinha, learned Spl. P.P. on behalf of the State.
3. The prosecution case is that on 30.04.2026, at about 19:40 hours, police reached near Pirdamariya bridge. On noticing the police, the petitioner attempted to flee but was apprehended. A search led to the recovery of 38.30 grams of smack contained in 35 sachets from his possession. During interrogation, the petitioner disclosed the involvement of co-accused Golu Kumar and Santosh Kumar, stating that he had handed over ₹20,000/- to them after selling 100 sachets of smack.
4. Learned counsel for the petitioner submitted that the petitioner is innocent and has been falsely implicated. It was argued that the petitioner has two prior criminal antecedents, that no incriminating material was recovered from his possession, and that mandatory provisions of the NDPS Act were not duly complied with. It was further contended that the petitioner has remained in custody since 01.05.2026, and on these grounds, a prayer was made for grant of regular bail.

In the Court of Sessions Judge/Special Judge (NDPS), Patna

BAIL APPLICATION No.- 1263/2026
(Arising out of Mal Salami P.S. Case No.258/2026)

Contd.....
06-06-2026

5. *Per contra*, learned Special Public Prosecutor submitted that 38.30 grams of smack was recovered from the petitioner. He further pointed out that the petitioner has prior two criminal antecedents instituted as (1) Malsalami P.S. Case No.179/2022 dated 26.03.2022 U/s 30(a)/36/37(B) of the Bihar Prohibition and Excise Act, and (2) Malsalami P.S. Case No.11/2023 U/s 30(a) of the Bihar Prohibition and Excise Act. It was argued investigation is still ongoing and the charge sheet has not yet been filed. Considering the gravity of the allegations, it was urged that the petitioner is not entitled to bail.
6. Having regard to the nature of the accusation; **recovery of 38.30 grams of smack**, which is well beyond the threshold of small quantity under the Narcotic Drugs & Psychotropic Substances Act; the submissions advanced by the learned Special Public Prosecutor; and the fact that the investigation is ongoing and the charge sheet is yet to be submitted, this Court is of the view that the petitioner does not deserve to be admitted to bail.
7. Accordingly, the application for regular bail filed on behalf of the **petitioner, Mangal Kumar @ Mangal Sharma**, stands **rejected**.

(Dictated)

Sd/-

(Rupesh Deo)

Sessions Judge/Special Judge (NDPS),
Patna

Date of Order	06.06.2026
Date of Reserving Order	04.06.2026
Uploading Date	06.06.2026
Uploaded by	Santosh/-