

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40805 of 2021

Arising Out of PS. Case No.-75 Year-2021 Thana- BANMANKHI District- Purnia

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DROPADI DEVI W/o Bihari Sah Resident of Village - Darjipatti, P.S.-
Banmakhi, Distt.- Purnea, State- Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate

Ms.Preety Kunwar, Advocate

For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-01-2022 Heard the learned senior counsel for the petitioner and
the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Special Case No. 19 of 2021 (NDPS Act) arising out of
Banmankhi P.S. Case No. 75 of 2021 for the offence registered
under Sections 8 (c) and 20(b) of the Narcotic Drugs &
Psychotropic Substance Act, 1985.

The allegation is regarding recovery of 880 grams of
Ganja from the grocery shop of the petitioner.

The learned senior counsel for the petitioner has
submitted that the petitioner is an accused in one other case of
the year 2010 but she is on bail in the said case. It is further
submitted that the quantity of Ganja seized from the grocery



shop of the petitioner is less than its small quantity, as specified in the schedule notified under the provisions of the NDPS Act, 1985 inasmuch as small quantity of Ganja has been mentioned as 1 kg. and the commercial quantity of Ganja has been mentioned as 20 kg., hence there is no impediment in granting bail to the petitioner herein especially considering the period of incarceration of the petitioner herein.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned senior counsel for the petitioner and taking into account the materials available on record as also considering the fact that the quantity of Ganja seized from the grocery shop of the petitioner is less than the small quantity specified in the schedule notified under the provisions of the NDPS Act, 1985, apart from considering the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Special Judge, N.D.P.S. Act, Purnea in
connection with Banmankhi P.S. Case No. 75 of 2021.

(Mohit Kumar Shah, J)

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