

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.69203 of 2022**

Arising Out of PS. Case No.-368 Year-2022 Thana- RAMNAGAR District- West Champaran

Salma Begum @ Salam Begam W/o Sukrullah Miyan @ Sakrullah Miyan  
R/o Village- Chhatiya Ghat, Chaurasiya Tola, P.S.- Ramnagar, Distt- West  
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3      09-05-2023                      Heard learned counsel appearing on behalf of the  
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period  
of four weeks from today.

The petitioner seeks bail in connection with  
Ramnagar P.S. Case No. 368 of 2022 registered for the offence  
under Sections 20, 21-A, 22, 22-B and 29 of the Narcotic Drugs  
and Psychotropic Substances Act, 1985 (For short 'N.D.P.S.  
Act'), though cognizance has been taken of the offences under  
Sections 20(b) (ii) and 21 (d) of the N.D.P.S. Act.

The accused/petitioner is named in the F.I.R. and is in  
custody since 27.07.2022.

The allegation against the petitioner is to have in



possession of 314 grams of *ganja* alongwith 7 grams of *smack*.

Learned counsel appearing on behalf of the petitioner submitted that alleged recovery of contraband i.e., *ganja* and *smack* was made from possession of this petitioner, where admittedly, the compliance of Section 50 of the N.D.P.S. Act not appears to be followed. It is also submitted that recovery of *ganja* is less than smaller quantity where maximum punishment is extendable up to one years and in case of *smack*, the quantity is also appearing less than commercial quantity and, as such, the barrier of Section 37 of the N.D.P.S. Act is not appearing applicable in present case. It is also submitted that the procedure as regard to search of premises and sampling of contraband are also not appears to be followed in present case. While concluding the argument, it has been submitted that petitioner is a lady of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above and by taking note of recovered quantity of contraband i.e., *ganja* and *smack* which is less than commercial quantity coupled with the fact that petitioner is a lady of clean



antecedent, where charge-sheet has already submitted, accordingly, the petitioner, above named, is directed to be released on bail in connection with Ramnagar P.S. Case No. 368 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV, West Champaran at Bettiah/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

pooja/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

