

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12554 of 2025

Arising Out of PS. Case No.-427 Year-2024 Thana- KISHANGANJ District- Kishanganj

Fatima @ Fatima Khatoon @ Domini @ Fatma W/o Mohammad Nasim @
Md. Nasim @ Nasim R/o Khagra Machmara Ward No 33, PS and Distt-
Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Sinha, Adv.

For the Opposite Party/s : Ms.Sangeeta Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 04-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kishanganj P.S. case No. 427 of 2024 instituted for the offences
under Sections 8(c), 21(b) of the N.D.P.S. Act.

3. As per prosecution case, the police has recovered
total 23.110 grams of smack from the possession of the
petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case only on
misconception as also due to highhandedness of the police
personnel. Petitioner is in custody since 21.10.2024 and has no
criminal antecedent. No incriminating material has been



recovered from the conscious possession of the petitioner. The seized money and the contraband do not belong to the petitioner. The recovered contraband is below commercial quantity, and hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kishanganj P.S. case No. 427 of 2024.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

