

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7048 of 2025

Arising Out of PS. Case No.-363 Year-2024 Thana- KISHANGANJ District- Kishanganj

1. Aarti Devi D/O-Suman Kumar, W/O- Suman Kumar Resident of Village- Nagarnausa, P.S.- Nagarnausa, Distt.- Nalanda
2. Lalo Devi Wife of Aabadh Bidh @ Avadh Jamadar Resident of Village- Nagarnausa, P.S.- Nagarnausa, Distt.- Nalanda
3. Runti Devi Wife of Sonu Kumar Resident of Village- Nagarnausa, P.S.- Nagarnausa, Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 15-02-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with Kishanganj PS Case No. 363 of 2024 instituted for the offences under Sections 8, 20(b)(ii)(c) of the NDPS Act.

3. Prosecution allegation, in short, is that on a tip off regarding huge quantity of contraband being carried towards Kishanganj, a raid was conducted by the police party and at 08:00 PM, one bolero was intercepted and on search there is recovery of 222.725 Kg ganja kept in 23 packets. Petitioners were arrested from the vehicle in question.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. The petitioners are in custody since 15-09-2024 and have got no criminal antecedent. Learned counsel for the petitioners fervently submits that petitioners are lady and they had taken lift from the vehicle in question and they were oblivious of the fact that contraband was kept in the vehicle. There is no allegation of tampering of witnesses alleged against the petitioner. Learned counsel further submits that petitioners are not the owner of the vehicle in question. Learned counsel goes on to submit that prosecution story is highly absurd, improbable and worthy of not any credence.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. Learned A.P.P. submits that recovered contraband is above the commercial quantity, hence, there is bar under Section 37 of the N.D.P.S. Act.

6. Considering the aforesaid facts and circumstances of the case and recovery of contraband beyond commercial quantity coupled with embargo under Section 37 of the N.D.P.S. Act, this Court is not inclined to grant bail to the petitioners.

7. The prayer is *rejected*.



8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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