

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6664 of 2025

Arising Out of PS. Case No.-988 Year-2024 Thana- JAHANABAD District- Jehanabad

Geeta Devi W/o Rameshwar Chaudhary R/o Mohalla- Thana road, Ambedkar
Nagar, PS- jehanabad, district- Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 07-03-2025 Heard Mr. Jogendra Kumar, learned counsel
appearing on behalf of the petitioner and Mr. Parmanand Prasad,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Jehanabad P.S. Case No. 988 of 2024 registered for the
offence(s) punishable under Sections 8(c)/21(a)/29 of the
N.D.P.S. Act.

3. As per the allegation made in the FIR, 5gm smack
was recovered from possession of one co-accused, namely,
Sunny.



4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is innocent and she has falsely been implicated in the present case. He further submitted that the co-accused Sunny Kumar has disclosed the name of the petitioner and other co-accused. The petitioner, who is a lady, cannot be said to be involved in the said crime, which was being carried on in a clandestine manner to sale smack illegally. Learned counsel further submitted that the petitioner deserved to be released on bail in view of the order dated 28.02.2025 passed in Cr. Misc. No.13321 of 2025, in which co-accused Rita Devi was released on pre-arrest bail, considering the fact that her name was disclosed by the said apprehended person, in police custody. It has further been submitted that Section 37 of the NDPS Act is not applicable in the present case. There is one criminal case pending against the petitioner, in which she is on bail. On these grounds, the petitioner seeks to be release on bail.

4. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

5. Having perused the allegation made in the FIR, as well as, the submissions made on behalf of the rival parties, the petitioner in para-3 of the bail petition has admitted that one criminal antecedent is against her, in which she is on bail. The



other accused Rita Devi, who has been released on pre-arrest bail vide order dated 28.02.2025 passed in Cr. Misc. No.13321 of 2025, was having clean antecedent and the said information is contained in paragraph no.4 of the said order dated 28.02.2025. The organized illicit trade of smack and contraband substance is on rampant sale in the State of Bihar. The members of syndicate, of which the petitioner is the gang member, are running parallel economy in the State of Bihar. The prohibition of liquor has failed in the State, which has also added to rise in the narcotic substance illicit trade. I find that the police officials cannot be said to be not involved in such large scale sale of narcotic substance in the State. The petitioner, who is having criminal antecedent, can only be said to have facilitated such illegal trade in the State of Bihar, which has impeded the economy of the State, at the same, time several death have occurred in which younger generation, are more sufferer. I am not inclined to enlarge bail to the petitioner on pre-arrest bail.

6. The petitioner, if so advised, may surrender before the learned District Court and seek regular bail. In that case, the learned District Court is directed to consider their bail application on the same day and pass necessary order on the basis of material, which has come in course of investigation



without delay.

7. Accordingly, the present pre-arrest bail application stands disposed of.

(Purnendu Singh, J.)

Ashishsingh/-

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

