

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18493 of 2025

Arising Out of PS. Case No.-525 Year-2024 Thana- AKBARPUR District- Nawada

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1. Sakila Devi Wife of Rajendra Chauhan Resident of Village- Laxmipur, P.S.- Akbarpur in the District of Nawada
 2. Sona Devi Wife of Late Indradeo Chauhan Resident of Village- Laxmipur, P.S.-Akbarpur in the District of Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Superintendent, Narcotic Drugs and Psychotropic Substances, Patna, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Advocate
For the Opposite Party/s : Mr.Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. In this present case, the petitioners seek bail in connection with Akbarpur P.S. Case No. 525 of 2024 registered for the offences under Sections 8(b) and 20(a)(i) of the N.D.P.S. Act.

3. As per prosecution case, police received information about some persons cultivating cannabis plant adjacent to their houses. Raids were conducted and from near the house of petitioner Sona Devi, five big plants of cannabis were found and total weight of those plants came out to be 11 Kgs. Similarly, near the house of petitioner Sakila Devi, nine plants of cannabis were found and total weight of those plants came to be 17 Kgs.



4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of these petitioners or even from the land of the petitioners. There is no material on record to show that the land, on which the police alleged that cannabis plants were being grown, belongs to these petitioners. Learned counsel further submits that police weighed the cannabis plants along with their trunk, leaves and flowers and in this manner the weight was taken to be 17 KG and 11 KG. But hardly 1 KG of *Ganja* would be come out from the plants. Petitioners are in custody since 08.12.2024 and charge-sheet has been submitted. Petitioners are having clean antecedent.

5. Learned A.P.P. opposes the submission made on behalf of the petitioners. Learned APP submits that recovery has been made from near the house of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that recovery has been shown including trunks, leaves and other material and even then it is below the commercial quantity and further considering the fact that the petitioners are ladies and also considering the clean antecedent of the petitioners as well as



their period of custody and submission of charge-sheet, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Principal District & Sessions Judge, Nawada/concerned court in connection with Akbarpur P.S. Case No. 525 of 2024, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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