

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23998 of 2025

Arising Out of PS. Case No.-11 Year-2024 Thana- Roshna District- Katihar

Sonam Kumari @ Siwani W/o Dinesh Singh Resident of Village- Naya Gaon,
Bariyarpur, Ward No.- 10, P.S.- Manhar, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Musowir, Advocate

For the Opposite Party/s : Mrs. Indu Kumari Srivastava, APP

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

ORAL ORDER

2 11-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Roshana P.S. Case No. 11 of 2024, instituted for the offences
punishable under Sections 20/22 of the NDPS Act.

3. Prosecution allegation, in short, is that there is
recovery of 44.400 Kg Ganja from XUV car and the petitioner
was apprehended on spot along with other co-accused persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for
the petitioner further submits that the petitioner is a woman. The



petitioner was only a passenger of the said vehicle. It is further submitted that no recovery of Ganja has been made from the conscious possession of the petitioner rather the same has been recovered from the car in question. The petitioner is in custody since 09.04.2024 and has got no criminal antecedent. 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. The quantity of Ganja recovered is more than the commercial quantity. Hence, there is bar under Section 37 of the NDPS 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 petitioner.

7. Accordingly, the prayer for bail to the petitioner, above named, is rejected with a direction to the Court below to expedite the trial expeditiously.

(Rudra Prakash Mishra, J)

Rajorshi/-

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