

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27475 of 2025

Arising Out of PS. Case No.-97 Year-2024 Thana- THAKURGANJ District- Kishanganj

Sabina Khatoon, (Female), aged about 28 years, W/o- Mudasir, R/O Village-
Patkoi, P.S-Kochadhaman, Dist- Kishanganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Mritunjay Kumar, Advocate
For the Opposite Party : Mrs. Rina Sinha, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 10-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Thakurganj P.S. Case No. 97 of 2024 dated 27.06.2024
registered for the offences punishable under Sections 8, 17(b),
18(b), 21(b), 22(b) and 29 of the N.D.P.S. Act.

3. As per the prosecution case, three women, namely,
Shamima Khatoon @ Shamima, Nusrat Jehan and Sabina
Khatoon (petitioner) were apprehended and on search, 500
gms., of opium and one mobile phone was recovered from the
possession of the co-accused Shamima Khatoon @ Shamima,
one mobile phone was recovered from the co-accused Nusrat
Jehan and one mobile phone was recovered from the possession



of Sabina Khatoon (petitioner).

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the seized contraband article i.e., 500 gms., opium which is less than commercial quantity was recovered from the possession of the co-accused Shamima Khatoon and not from the possession of the petitioner rather only one mobile was recovered from the possession of the petitioner. There is no statutory compliance under the mandatory provisions of Section 50 of the N.D.P.S. Act. It is further submitted that the petitioner is a lady. It is further submitted that the other co-accused, persons, namely, Nusrat Jahan @ Nusrat Jhan and Shamima Khatoon @ Shamima have already been granted bail by a Bench of this Court in Cr. Misc. Nos. 66291 of 2024 vide order dated 05.10.2024 and 78034 of 2024 vide order dated 13.11.2024, annexed as Annexure-2 to the present bail petition. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 28.06.2024.

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

6. Considering the aforesaid facts and circumstances of



the case as well the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, (N.D.P.S. Act), Kishanganj in connection with Thakurganj P.S. Case No. 97 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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