

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24722 of 2025**

Arising Out of PS. Case No.-237 Year-2024 Thana- DHANAHAN District- West Champaran

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1. Rinku Devi W/o- Sujeet Nishad Village- Rampur Chaubeya Ps- Barwapatti Dist- Kushinagar U.P
2. Chhotu Kumar @ Chhotu Bin S/o- Sri Bhola Bin @ Bhola Rehra Village- Redaha Ps- Bhitaha Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sharad Kumar Verma, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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

ORAL ORDER

2      23-04-2025      Heard learned counsel for the petitioners and learned APP for the State.

2.      The petitioners seek bail in connection with Dhanaha PS Case No. 237 of 2024 instituted for the offences under Sections 8, 20(b)(ii)(c) & 29 of the NDPS Act.

3.      Prosecution allegation, in short, is that police apprehended two persons, namely, Rinku Devi (petitioner No.1) and Chhotu Kumar (petitioner No.2) and on search, there is recovery of 27 Kg ganja from them.

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 07-11-2024 and have got no criminal antecedent. Charge-sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioners. It is submitted that nothing has been recovered from the conscious or physical possession of the petitioners. There is no compliance of Sections 42 and 50 of the NDPS Act.

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. Bail of co-accused person has been rejected by this Court vide order dated 21-03-2025, passed in Cr. Misc. No. 16255 of 2025.

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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