

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27600 of 2025

Arising Out of PS. Case No.-11 Year-2025 Thana- KURSAILA District- Katihar

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Anita Devi W/O Bhola Singh R/O Village- Sripur, P.S- Naugachhiya, Distt.-
Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Adv.
Mr. Ranjeet Kumar Singh, Adv.
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 10-10-2025 Heard the parties.

2. The petitioner seeks bail in connection with Kursela
P.S. Case No. 11 of 2025 registered for the offence under
Sections 8, 20(B),(ii)(C) of the NDPS Act.

3. The petitioner is named in the F.I.R. and is in custody
since 10.01.2025.

4. The allegation against the petitioner is to have in
possession of 6.330 kg of Ganja.

5. Learned counsel appearing on behalf of the petitioner
submitted that recovered quantity of contraband is less than
commercial quantity, therefore, rigors of Section 37 NDPS Act not
appears applicable in the present case. It is submitted that police
fail to comply the mandatory provision qua personal search as
available under Section 50 of NDPS Act and moreover the



mandatory provision regarding Search, Sealing and Seizure (SSS) also not appears followed in present case. While concluding the argument, it is submitted that petitioner is a lady of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. In view of aforesaid factual submission and by taking note of fact as recovered quantity appears less than commercial quantity, coupled with fact that investigation of this case already completed, where petitioner remains in custody since 10.01.2025 being a lady of clean antecedent, accordingly petitioner above named, is directed to be released on bail in connection with Kursela P.S. Case No. 11 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Katihar /concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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