

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31553 of 2025

Arising Out of PS. Case No.-19 Year-2025 Thana- BARHARA KOTHI District- Purnia

1. Shamshun Khatoon W/O Md. Mazhar Resident of Village- Magurjan, PS- Barhara, Dist.- Purnea.
2. Md. Mazhar S/O Md. Gulo @ Gul Mohammad Resident of Village- Magurjan, PS- Barhara, Dist.- Purnea.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. N A Shamsi, Advocate

For the Opposite Party : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioners and Mr. Pranav Kumar, learned APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under Sections 8(b), 18(b) and 29 of the NDPS Act.

3. The case of the prosecution is that in the courtyard of the petitioners, eight plants of *ganja* were recovered. The height of the *ganja* plant was 10 feet.

4. Learned counsel for the petitioners submit that there is no FSL report and without FSL report it cannot be ascertained whether the alleged plant is of *ganja* or not. It has also been submitted that in FIR, the weight of the contraband is not there and it has been left to the court to assume the quantity of the *ganja*.



Petitioners are husband and wife. Shamsun Khatoon (petitioner no.1) is in custody since 31.01.2025 and Md. Mazhar (petitioner no.2) is in custody since 06.03.2025. The petitioner no.1 is having no criminal antecedent and petitioner no.2 is having two criminal antecedent in which he is on bail.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Barhara P.S. Case No. 19 of 2025 on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge (NDPS Act, Purnea.

(Ashok Kumar Pandey, J)

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