

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50462 of 2025

Arising Out of PS. Case No.-215 Year-2025 Thana- ARARIA District- Araria

Shabnam @ Shabwam Wife of Abu Basar Village- Mirja Bhag, Ward no. 3,
Ps and Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shailendra Kumar Singh, Sr. Advocate Mr. Pawan Kumar Singh, Advcoate
For the Opposite Party/s	:	Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 11-08-2025 Heard Mr. Shailendra Kumar Singh, learned senior
counsel for the petitioner and Dr. Ajeet Kumar, learned APP for
the State.

2. Petitioner seeks regular bail in connection with
Araria P.S. Case No. 215 of 2025 dated 27.05.2025 registered
for the offences punishable under Sections 8, 21 & 22 of the
N.D.P.S. Act and Section 111 of the Bharatiya Nyaya Sanhita.

3. The main submissions advanced by petitioner's
counsel are that though the instant matter relates to the recovery
of huge quantity of cough syrup allegedly containing codeine
but as per the seizure memo, it is clearly evident that these
alleged contraband were recovered from two vehicles, Maruti
Suzuki and E-Rickshaw and the rest part of the contraband was



recovered from a place which is situated outside the petitioner's house, so, in such situation it cannot be deemed that the petitioner who is a lady had knowledge of that contraband and she has been made an accused mainly on account of previous enmity with the police. It is lastly submitted that the petitioner is a pregnant lady and presently in the sixth month of pregnancy and has two minor children aged about three years and five years, who are without any care in her house in the absence of their mother and she has been languishing in jail since 28.05.2025.

4. Learned APP for the State has opposed the prayer for bail of the petitioner.

5. Heard both the sides and perused the FIR and trial court's order. Though the instant matter relates to the recovery of large quantity of narcotic contraband, however, considering the facts that the petitioner is presently pregnant, carrying pregnancy of six months and there are two minor children of her, aged three years and five years as mentioned in paragraph 21 of the petition and further it is not the case of the prosecution that the alleged contraband was recovered from the specific possession of the petitioner and the same is alleged to have been recovered from the two vehicles and outside place connected to



the petitioner's house, in my opinion, in these circumstances, the petitioner deserves to lenient approach of this Court. Accordingly, let the petitioner named-above 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 concerned Court in connection with Araria P.S. Case No. 215 of 2025.

(Shailendra Singh, J)

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