

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50976 of 2025

Arising Out of PS. Case No.-57 Year-2025 Thana- KAJRAILI District- Bhagalpur

Punam Devi W/o- Sachidanand Yadav Resident of Tamanui Mor PS- Kajeli
District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate

For the Opposite Party/s : Mrs. Renu Kumari, APP

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

ORAL ORDER

2 07-08-2025 Heard Mr. Praveen Kumar Agrawal, learned
counsel for the petitioner and Mrs. Renu Kumari, learned APP
for the State.

2. The petitioner seeks bail in connection with Kajraili
P.S. Case No. 57 of 2025, instituted for the offences punishable
under Sections 21(a) and 22 of the NDPS Act.

3. Prosecution allegation, in short, is that there is
recovery of 44 gram brown sugar from the tea stall of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for



the petitioner further submits that the petitioner is a lady and the alleged contraband has been recovered from the tea stall and not from the possession of the petitioner. The recovered contraband is below the commercial quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. The petitioner is in custody since 12.06.2025 and has got no criminal antecedent. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

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

6. Considering the aforesaid facts and circumstances of the case, the recovered contraband being below the commercial quantity and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kajraili P.S. Case No. 57 of 2025.

(Rudra Prakash Mishra, J)

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