

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58626 of 2025

Arising Out of PS. Case No.-73 Year-2025 Thana- TIKAPATTI District- Purnia

Rubi Devi W/o Bhiyal Singh @ Miyal Singh Resident of Village- Nawtoliya,
ward no 2, PS- Mohanpur, District- Purnea. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Fazle Karim, Advocate

For the Opposite Party/s : Mr.Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-10-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Tikapatti
P.S. Case No. 73/2025, registered for the offence under Sections
20(b)(II)(c)/29 of the NDPS Act.

3. The accused/petitioner is named in the F.I.R. and is
in custody since 21.05.2025.

4. Allegation against the petitioner is to have in
possession of 3.040 kg of contraband i.e. *ganja*.

5. Learned counsel appearing on behalf of the petitioner
submitted that in actual the recovery was made from other co-
accused persons but as this petitioner was travelling in same auto,
she was made accused falsely with present case, showing
contraband in her possession. It is submitted that the recovery of
contraband is less than smaller quantity. It is also submitted that



as the auto in issue was occupied by different accused persons, therefore, it can be safely gathered that the recovery was not made from the conscious physical possession of this petitioner, who is a lady of clean antecedent. It is also pointed out that the mandatory provisions as available under NDPS Act *qua* sealing search and seizure (SSS) also not appears followed in its true spirit. While concluding the argument, it is submitted that investigation of this case is already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposed the prayer of bail.

7. Considering the aforesaid factual submissions and by taking note of fact as recovery of contraband from the possession of petitioner is less than smaller quantity, where recovery also *prima facie* appears doubtful from the conscious physical possession of this petitioner, coupled with the fact that investigation of this case is already completed, where petitioner being a lady of clean antecedent remains in custody since 21.05.2025, accordingly, petitioner above named, is directed to be released on bail in connection with Tikapatti P.S. Case No. 73/2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Special Judge (NDPS Act),
Purnea/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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