

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59307 of 2025

Arising Out of PS. Case No.-114 Year-2025 Thana- KURSAILA District- Katihar

=====

Babita Devi W/o Sanjay Mandal R/o Village- Miliniya, P.S.- Kursela,
District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Adv.
Ms. Deepika Mishra, Adv.

For the Opposite Party/s : Dr. Mrityunjaya Kr.Gautam, APP

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 27-08-2025 Learned counsel for the petitioner seeks permission to
make necessary correction in paragraph no.4 of the petition.

2. Permission is accorded.

3. He is directed to make necessary correction in
paragraph no.4 of the petition.

4. Heard learned counsel for the petitioner and learned
APP for the State.

5. In the present case, the petitioner seeks bail in
connection with Kursela P.S. Case No. 114 of 2025 registered
on 14.06.2025 for the offences under Sections 8 and 20(b)(ii)(B)
of the NDPS Act.

6. As per prosecution case, secret information was
received about smuggling of narcotics on a motorcycle and
police team starting checking of vehicles. The petitioner and co-
accused Vedanand Mandal were apprehended and from the



bag in their possession, recovery of 5.818 kg of *ganja* was made.

7. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place. Co-accused Vedanand Mandal is the neighbour of the petitioner who offered her lift and the petitioner has no idea about illegal substance being carried by co-accused. Whatever recovery has been made, it was from co-accused. Moreover, recovery is much less than the commercial quantity. Co-accused Vedanand Mandal has been granted bail by a Co-ordinate Bench of this Court vide order dated 12.08.2025 passed in Cr. Misc. No. 56182 of 2025. Petitioner is in custody since 14.06.2025 and charge-sheet has been submitted. Petitioner is having clean antecedent.

8. Learned A.P.P. opposes the submission made on behalf of the petitioner.

9. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from this petitioner and further considering the vague and remote nature of allegation against the petitioner and also considering the period of custody



of the petitioner along with her clean antecedent and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Principal District & Sessions Judge, Katihar/concerned court in connection with Kursela P.S. Case No. 114 of 2025, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

balmukund/-

U		T	
---	--	---	--

