

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61724 of 2025

Arising Out of PS. Case No.-601 Year-2025 Thana- AHIYAPUR District- Muzaffarpur

Mala Devi Wife of Raghunath Mahto Resident of village - Chako Chhapra,
Pukar Chauk, P.S.- Minapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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

ORAL ORDER

2 08-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with NDPS
Case No. 79 of 2025 arising out of Ahiyapur P.S. Case No. 601
of 2025 instituted for the offences under Sections 8(c), 21(b) of
the N.D.P.S. Act.

3. Prosecution case, in short, is that total 16.90 grams
of smack like substance has been recovered from the petitioner.
During interrogation, the petitioner disclosed that the narcotic
substance was supplied to her by two persons, and thereafter, the
search was conducted and total 14.52 grams of smack like



substance was recovered from the two co-accused persons.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Petitioner is in custody since 28.04.2025 and has no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. No incriminating material has been recovered from the conscious possession of the petitioner. Petitioner has no concern with the alleged recovery. The recovered contraband is below commercial quantity, and hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. 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, recovered contraband being less than the commercial quantity as also 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 NDPS Case No. 79
of 2025 arising out of Ahiyapur P.S. Case No. 601 of 2025.

(Rudra Prakash Mishra, J)

Alok Verma/-

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