

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60115 of 2025

Arising Out of PS. Case No.-508 Year-2025 Thana- Excise P.S. District- Gaya

Rubi Devi Wife of Rudal Pasi R/O Mohalla- Maliya Bagh, P.S.- Dawat,
District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi, Advocate

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

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

ORAL ORDER

2 03-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
Sadar (Madhya Nisedh Utpad) P.S. Case No. 508 of 2025,
instituted for the offences punishable under Sections 8, 20(b)(ii)
(c) of the NDPS Act.

3. Prosecution allegation, in short, is that there is
recovery of 52.680 Kg of Ganja from truck and the petitioner
was apprehended on spot.

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 also submits that the petitioner has got no concern with the alleged recovery of Ganja. The petitioner is a lady and she took lift from the driver of truck and has got no knowledge with regard to the nature of goods loaded in the truck in question. The petitioner is in custody since 17.05.2025 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. Learned A.P.P. submits that recovered contraband is above the commercial quantity, hence, there is bar under Section 37 of the N.D.P.S. Act and the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case and recovery of contraband beyond commercial quantity coupled with embargo under Section 37 of the N.D.P.S. Act, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected.

(Rudra Prakash Mishra, J)

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