

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61491 of 2025

Arising Out of PS. Case No.-111 Year-2025 Thana- Babarganj District- Bhagalpur

Sita Devi W/O Vishal Yadav @ Feku Yadav R/O Vill.- Maheshpur, P.S.-
Babarganj, Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ankit Raj, Adv.

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

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

ORAL ORDER

2 04-09-2025 Heard learned counsel for the petitioner
and learned APP for the State.

2. The petitioner seeks bail in connection
with Babarganj P.S. case No. 111 of 2025
instituted for the offences under Sections 8(c),
21(b) of the N.D.P.S. Act.

3. As per prosecution case, the police has
recovered total 66 gram of brown-sugar from the
house of the petitioner.

4. Learned counsel for the petitioner
submitted that the petitioner has falsely been
implicated in the present case. Petitioner is in
custody since 15.06.2025 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. The alleged motorcycle does not belong to the petitioner rather the owner is one Md. Asar. The name of the petitioner has transpired in this case on the basis of the disclosures made by the apprehended person namely Akash Kumar @ Kattu Pal stating that he had purchased the said brown sugar like substance from the petitioner. The petitioner has no concern with the alleged seized articles. 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, clean antecedent, the



period of custody undergone by the petitioner as also the petitioner being lady, 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/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Babarganj P.S. case No. 111 of 2025.

(Rudra Prakash Mishra, J)

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