

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61521 of 2025

Arising Out of PS. Case No.-293 Year-2025 Thana- PURNEA SADAR District- Purnia

Rajina Khatoon @ Ranjina Khatoon W/O Md. Islam Res of Village- Ziro
Mile, Kabristan Tola, Kasba Road, P.S- Sadar, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bidhu Ranjan, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar 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 Sadar
P.S. Case No. 293 of 2025 instituted for the offences under
Sections 8(c), 21(b) of the Narcotic Drugs & Psychotropic
Substances Act.

3. As per prosecution case, the police has recovered
total 13.96 grams of Smack from the possession of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against her and has falsely been implicated in the present case.
Learned counsel for the petitioner has canvassed that the



quantity of contraband article Smack recovered from the possession of the petitioner is of course more than the small quantity, but less than the commercial quantity. The petitioner has been in custody since 20.06.2025 and has one criminal antecedent. Nothing incriminating has been recovered from the conscious/physical possession of the petitioner. The quantity of recovered contraband is below the 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. There is also non-compliance of Section 103 of the B.N.S.S.

5. Learned Public Prosecutor has opposed the bail application on the ground that keeping any contraband article like that of Smack in possession is offence of grave nature. The petitioner is named in the F.I.R. and has one criminal antecedent. The offence alleged is serious in nature and, hence, the petitioner does not deserve bail.

6. Having considered the rival submissions of the learned counsel for the parties and taking into account the aforesaid seized quantity of contraband being more than small quantity but, less than the commercial quantity, the period of custody of the petitioner as also the petitioner being lady, let the



petitioner, abovenamed, 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 Sadar P.S. Case No. 293 of 2025.

(Rudra Prakash Mishra, J)

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