

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65308 of 2025

Arising Out of PS. Case No.-380 Year-2025 Thana- PURNEA SADAR District- Purnia

Bulbul Parveen W/o Budhan Khalifa @ Budhdeo Kumar Resident of Abdulla
Nagar, Khuskibagh, P.S.- Sadar, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal, Sr. Advocate Ms. Diksha Kumari, Advocate Mr. Kumar Rajdeep, Advocate
For the Opposite Party/s	:	Mr. Dilip Kumar No. 1, APP

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

ORAL ORDER

2 15-09-2025 Heard learned senior counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Sadar
P.S. Case No. 380 of 2025, instituted for the offences punishable
under Sections 317(5) of the Bharatiya Nyaya Sanhita, 2023,
read with Sections 8, 17(a), 18(a), 8(c) and 21(b) of the NDPS
Act.

3. Prosecution allegation, in short, is that there is
recovery of 10 gram *afeem* from the house of the petitioner.

4. Learned senior 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 senior counsel for the petitioner further submits that the petitioner has got no concern with the alleged recovery of *afeem*. The recovered contraband is below the commercial quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. The petitioner is in custody since 27.07.2025 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.

6. Considering the aforesaid facts and circumstances of the case, the recovered contraband being below the commercial quantity and 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 Sadar P.S. Case No. 380 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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