

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81421 of 2025

Arising Out of PS. Case No.-14 Year-2024 Thana- Haraiya District- East Champaran

Shayada Khatoon @ Shaida Khatoon W/o Md. Nayeem Mian @ Kamaruddin
R/o Village - Badka Pareuwa, ward No. 01, P.S - Haraiya, District - East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

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

ORAL ORDER

2 16-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Haraiya P.S. Case No. 14 of 2024 instituted for the offences under Sections 8(c), 20(b) (ii)(c), 22(c), 24, 29 of the N.D.P.S. Act.

3. Prosecution case, in short, is that, during raid, 1.092 Kg charas and 208 gram smack has been recovered from the house of the co-accused Nayeem Miyan. It is further alleged that the accused persons including the petitioner used to sell the aforesaid items near India-Nepal border.

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 and cognizance has also been taken. Petitioner is in custody since 01.08.2025 and has one 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 name of the petitioner is being dragged in the present case merely because she happens to be the wife of the co-accused Nayeem Mian @ Shaida Khatoon. Petitioner has no concern with the alleged recovery. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act. Several co-accused persons have already been granted bail by coordinate Benches of this Court vide Annexure-P3 to the present bail application.

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, claim based on parity 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 Haraiya P.S. Case



No. 14 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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