

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82543 of 2025

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

Chhotu Pal @ Chhotu Kumar S/o- Kallu Pal @ Kailash Pal Resident of
Maheshpur PS- Babarganj District-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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

ORAL ORDER

2 28-11-2025 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 co-accused
person.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is in custody since 27.09.2025 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 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. Other co-accused has been granted bail by this Court vide order dated 04.09.2025, passed in Cr. Misc. No. 61491 of 2025.

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 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)

Raj Kishore/-

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