

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2548 of 2026

Arising Out of PS. Case No.-477 Year-2025 Thana- KANTI District- Muzaffarpur

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Anita Devi Son of Lt. Arun Sharma Resident Of Village - Aamgola Pankha
Tola, P.S. - Kazi Mohammadpur, Dist. - Muzzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shivjee Singh, Advocate

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

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

ORAL ORDER

2 22-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in NDPS Case No. 166 of
2025, arising out of Kanti P.S. case No. 477 of 2025 instituted
for the offences under Sections 8, 20(b)(ii)(b) of N.D.P.S. Act.

3. Prosecution allegation, in short, is that during search
made by the police 7.290 kg ganja was recovered.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner is in custody since 24.09.2025 and
has got no criminal antecedent. Charge-sheet has been
submitted in this case. No incriminating material has been
recovered from the conscious possession of the petitioner. 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. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act. The provisions of Section 103 of B.N.S.S., 2023 has also not being complied with.

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, charge-sheet being submitted and the period of custody undergone by the petitioner and the recovered contraband below commercial quantity, 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 NDPS Case No. 166 of 2025, arising out of Kanti P.S. case No. 477 of 2025, 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)

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