

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1139 of 2026

Arising Out of PS. Case No.-10 Year-2025 Thana- SIKTA District- West Champaran

Rajkumari Devi Son of Munna Singh R/o Village - Gayghat, P.S. - Harsidhi,
Dist. - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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

ORAL ORDER

2 21-01-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Sikta PS
Case No. 10 of 2025 instituted for the offences under Sections
20(b)(ii)(c), 23(c) & 29 of the NDPS Act.

3. Prosecution allegation, in short, is that on 29.01.2025,
acting on confidential information apprehended the petitioner
and during the search, 3.89 kg of Charas 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 30.01.2025 and
has got one criminal antecedent. Charge-sheet has been
submitted in this case. There is no allegation of tampering of



witnesses alleged against the petitioner. Learned counsel further submits that nothing has been recovered from the conscious possession of the petitioner. There is no compliance of Sections 42 and 50 of the NDPS Act. It is lastly submitted that since petitioner is lady, she may be enlarged on bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned A.P.P. submits that recovered contraband is above the commercial quantity, hence, there is bar under Section 37 of the N.D.P.S. Act.

6. Considering the aforesaid facts and circumstances of the case and recovery of contraband beyond commercial quantity coupled with embargo under Section 37 of the N.D.P.S. Act, this Court is not inclined to grant bail to the petitioner.

7. The prayer is *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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