

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12355 of 2026**

Arising Out of PS. Case No.-121 Year-2025 Thana- BHUTAH I District- Sitamarhi

Jagiya Devi Wife of Manidas Sada Resident of Village - Hanuman Nagar,  
Lalbandi Darbar, Ward No.- 04, P.S.- Sonbarsa, District - Sitamarhi (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr.Shailendra Kumar, A.P.P.

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

ORAL ORDER

2      12-03-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Bhutahi  
P.S. Case No. 121 of 2025, instituted for the offences under  
Sections 8(c), 20(b)(ii)(b) of the N.D.P.S. Act.

3. Prosecution case, in short, is that total 21.640 Kg of  
Ganja has been recovered in this case. Out of which 10.960 Kg  
of Ganja has been recovered from the possession of the  
petitioner.

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. Petitioner is in  
custody since 11.09.2025 and has no 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. Petitioner has no concern with the alleged recovery. The recovered contraband is just above the commercial quantity. 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, 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, ***after framing of charge, if not already framed***, 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 Bhutahi P.S. Case No. 121 of 2025, subject to the following conditions:

(I) One of the bailors shall be the petitioner's own or close member.

(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner shall not tamper with the



prosecution evidence or influence/intimidate any witness during  
the course of trial.

In case of violation of any of the aforesaid conditions,  
the Trial Court shall be at liberty to cancel the bail bonds of the  
petitioner.

**(Rudra Prakash Mishra, J)**

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