

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19721 of 2026

Arising Out of PS. Case No.-1 Year-2026 Thana- RAJIVNAGAR District- Patna

Baby devi wife of Niru Rai @ Biru Rai Resident Of village-Ganga Tola, P.s-
Maner, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 25-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 8(c) and 21(b) of the N.D.P.S. Act.

3. The case of the prosecution is that altogether 8.4 grams of smack like substance was recovered from the possession of this petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. She has falsely been implicated in this case. Nothing has been recovered from the possession of this petitioner. Learned counsel for the petitioner has submitted that while making seizure, Section 105 of B.N.S.S. and Section 50 of NDPS Act have not been complied



and the seizure list witnesses are police personnel. It has also been submitted that though the quantum of the contraband which has been recovered from the possession of this petitioner is more than small quantity but is much less than commercial quantity. Petitioner is having no criminal antecedent. Moreover, she is languishing in judicial custody since 03.01.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Rajeev Nagar P.S. Case No. 01 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Patna.

(Ashok Kumar Pandey, J)

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