

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18504 of 2026

Arising Out of PS. Case No.-43 Year-2026 Thana- KATORIYA District- Banka

Priyanka Devi Wife of Ajay Yadav Resident of Village - Turitola, P.S.-
Katoria, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate
For the State : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-03-2026 Heard Mr. Dhananjay Kumar Pandey, learned
counsel for the petitioner and Mr. Arun Kumar Pandey, learned
APP for the State.

2. Petitioner seeks bail, who is in custody since
11.02.2026, in connection with Katoria P.S. Case No. 43 of
2026, F.I.R. dated 09.02.2026 registered for the offences
punishable under Sections 8, 20(B)(ii)(A) of N.D.P.S. Act.

3. The case relates to recovery of 765 grams of
Ganja.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and she has been falsely
implicated in the present case. He further submits that the
petitioner is wife of Ajay Yadav and Ajay Yadav has opened the
grocery shop in his house and petitioner was sitting in the



grocery shop and altogether 100 small transparent boxes and 47 pieces of cigarettes which was filled up with *Ganja* was recovered from the possession of the petitioner and after weighting total weight was found to be 765 grams *Ganja*. He further submits that there is non compliance of mandatory provision of Section 50 of the N.D.P.S. Act and apart from aforesaid the recovered contraband is less than the commercial quantity, so there is no embargo under Section 37 of the N.D.P.S. Act to enlarge the petitioner on bail and apart from aforesaid the petitioner having clean antecedent. The petitioner is in custody since 11.02.2026.

5. Learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and there is non compliance of mandatory provision of Section 50 of the N.D.P.S. Act and the recovered contraband is less than the commercial quantity, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge cum Special Judge (NDPS) Act, Banka in connection with Katoria P.S. Case No. 43



of 2026, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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