

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27846 of 2026

Arising Out of PS. Case No.-11 Year-2026 Thana- CUSTOM (GOVERNMENT OFFICIAL)
District- Gaya

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Manpreet Kaur Daughter of Late Baljeet Singh Resident of village- Veer
singh Patti, VPO Dayalpura Mirza, Bhatinda Ps- Bhatinda, Dist- Bhatinda,
Punjab

... .. Petitioner/s

Versus

The Union of India Through Customs Dept, Airport customs, Gaya Bihar

... .. Opposite Party/s

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Appearance :

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

Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Sriram Krishna, Sr./St. Counsel, Custom

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 22-06-2026 Heard learned counsel for the petitioner and learned
counsel for the Union of India through Customs.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 20(b)(ii)(b),
22(b), 25 and 29 of the NDPS Act.

3. The case of the prosecution is that from the bag of the
petitioner, altogether 8.145 kg of ganja was recovered.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Learned
counsel for the petitioner has submitted that nothing has been
recovered from the possession of the petitioner. The witnesses of
the seizure list are police personnel and police have not complied
Section 105 of BNSS while preparing the seizure list. A statement
has been made in para-3 of this petition that the petitioner has got



no criminal antecedent. Petitioner is a lady. Moreover, she is languishing in judicial custody since 27.01.2026.

5. Countering this, learned counsel for the Union of India through Customs has submitted that the petitioner was found carrying contraband substance concealed in two trolley bags brought by her from Bangkok via international flight which was seized in her presence and two independent witnesses are there. The contraband substance was confirmed to be *Marijuana* containing *Tetrahydrocannabinol* (THC) as their chief intoxicating ingredient and by the FSL, Patna confirmed Ganja containing *Dronabinol* (*Delta-9 Tetrahydrocannabinol*). Learned counsel has further submitted that small quantity for *Dronabinol* is 2 grams and commercial quantity is 50 grams, as such, it has been submitted that the contraband which has been recovered from the possession of this petitioner is much more than commercial quantity.

6. Countering this, learned counsel for the petitioner has submitted that *tetrahydrocannabinol* (THC) is the intoxicant material which is found in the *marijuana* but the total *marijuana* does not contain entire THC. Some part of it is 'THC' and that considering this, the Legislator has fixed the commercial quantity of ganja to be 20 kg. Learned counsel has further submitted that in any view of the matter, the contraband which has been recovered



from the possession of this petitioner is though more than small quantity but is much less than commercial quantity as per NDPS Act.

7. Learned counsel for the Union of India has vehemently opposed and has submitted that the petitioner might have criminal antecedent.

8. 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 Airport Customs Gaya P.S. Case No. 11 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-cum-Special Judge, NDPS Act, Gayaji.

9. Learned trial court is directed that before verifying the criminal antecedent of the petitioner, the court may release the petitioner provisionally and her bail shall be confirmed after the verification of her criminal antecedent.

(Ashok Kumar Pandey, J)

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