

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23600 of 2026

Arising Out of PS. Case No.-53 Year-2025 Thana- JOGBANI District- Araria

Tabassum Khanam, W/o -Md. Khalid Khan @ Kalid Khan, R/o Village- 108,
NH 31, Paschimi Bagh, P.S- Jogbani, Dist- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. S.M. Ashraf, Sr. Adv.
Mr. Rana Hason, Adv.

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 14-07-2026

Heard the parties.

2. The petitioner apprehends her arrest in connection with Jogbani P.S. Case No. 53 of 2025 registered for the offence punishable under section 21(c) of the Narcotic Drugs and Psychotropic Substances Act (in short, 'NDPS Act').

3. As per the prosecution story, on 28.04.2025, acting upon a secret information, the informant along with the raiding team intercepted a motorcycle, whose rider escaped from the spot leaving behind the vehicle. On search, the police recovered 149.60 litres of Eskuf Cough Syrup containing Codeine Phosphate and Triprolidine Hydrochloride with the said motorcycle bearing registration No. BR-50Q-4599.

4. Learned senior counsel for the petitioner submits that the petitioner is a 27 year old lady and has no concern with



the place of recovery which is said to be a cornfield, though, as per the prosecution, the petitioner's motorcycle was recovered from the alleged place along with the alleged contraband but in fact, the petitioner's motorcycle was intentionally removed by the police to implicate the petitioner in connection with the recovered contraband. It is lastly submitted that the petitioner bears no criminal antecedent and that she is a *pardanashin* lady, and mainly on account of she being the registered owner of the said motorcycle, she has been made an accused in the present matter.

5. On the other hand, learned APP for the State opposes the prayer of the petitioner and submits that the instant matter relates to the recovery of 149.60 litres of Eskuf cough syrup containing Codeine Phosphate and Triprolidine Hydrochloride, and the FIR of the present matter has been registered under section 21(c) of the NDPS Act pertaining to the offence under the NDPS Act involving commercial quantity of contraband and the case is under investigation.

6. Heard both the sides, perused the FIR and the case diary of the present matter. As per the prosecution story, the petitioner's motorcycle was being used by an unknown person along with the alleged contraband and a large quantity of cough syrup containing Codeine Phosphate and Triprolidine Hydrochloride was recovered from the alleged place, though the



alleged rider escaped, it is an admitted position that the petitioner is the registered owner of the said vehicle. As far as the defence taken by the petitioner, as stated above, is concerned, the same does not appear to be believable at this stage as there is no material in the case diary to support the same and further, the case is under investigation, this Court is not inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, her prayer stands rejected.

7. However, the petitioner is given a liberty to surrender before the trial court. If she avails this liberty within three weeks from today, then the learned trial court shall decide her regular bail prayer, according to merit, preferably on the same day without being prejudiced with this rejection order.

(Shailendra Singh, J)

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