

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25311 of 2026

Arising Out of PS. Case No.-25 Year-2026 Thana- DHAMDAHA District- Purnia

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Anisha Khatoon W/o- Md. Saddam Hussain Resident Of Ward No. 06,
Kukroan, P.S. - Dhamdaha, District - Purnea (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-04-2026 Heard Mr. Neeraj Kumar Gupta, learned counsel for

the petitioner and Mr. Rabindra Kumar, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
17.02.2026 in Excise Dhamdaha Case No. 25 of 2026, F.I.R.
dated 16.02.2026 for the offences punishable under Sections 21
(c) of the Narcotic Drugs & Psychotropic Substance Act, 1985.

3. Recovery is of 1.400 litres of Codeine Syrup.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and she has falsely been
implicated in the present case. It appears from the FIR that
altogether 14 bottles of "SHIFEX-T" cough syrup (Triprolidine
Hydrochloride and Codeine Phosphate Syrup), each bottles
contains 100 ml was recovered from the house of the petitioner



and as per allegation in the FIR, upon arrival of the police team, the petitioner attempted to flee from the house. He further submits that there is non-compliance of the mandatory provision of Sections 41, 42 and 50 of the N.D.P.S. Act and it appears that the recovered contraband is less than the commercial quantity. Hence, there is no embargo under Section 37 of the N.D.P.S Act for grant of bail to the petitioner and the petitioner, being a women is rotting in custody since 17.02.2026.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, (N.D.P.S Act), Purnea in connection with Dhamdaha Case No. 25 of 2026, subject to the following conditions:-

i. 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.

ii. If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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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