

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25727 of 2026

Arising Out of PS. Case No.-698 Year-2025 Thana- BIDUPUR District- Vaishali

Laliya Devi Wife of Bhadai Mahato, Resident of Village -Tersia, PS -Ganga Bridge, Distt -Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Prabhat, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 17-04-2026 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Bidupur P.S. Case No. 698 of 2025, dated 17.12.2025, registered for the offences punishable under Sections 8(c), 21(b) and 29 of the NDPS, Act and Section 111(2) (b) of the B.N.S., 2023.

3. As per the prosecution case, the petitioner was apprehended carrying 21.03 grams of heroin. From the associate of the petitioner recovery of 10.62 grams of heroin was made.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and she has falsely been implicated in the present case. The alleged recovery from the petitioner is 21.03 grams of heroin which comes under



intermediate quantity as per the notification of Government of India. The petitioner is a woman aged about 41 years and having a minor child. There is non-compliance of statutory provisions which are mandatory in nature. There is also non-compliance of Section 50 of the NDPS Act or even Section 42 of the said Act. Learned counsel next submits that petitioner is having antecedent of one case in which she is on bail. Learned counsel lastly submits that petitioner is in custody since 18.12.2025 and chargesheet has been submitted.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner is a lady and further considering her period of custody and submission of chargesheet against her, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge NDPS, Vaishali at Hajipur / concerned Court, in connection with **Bidupur P.S. Case No. 698 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other



following conditions:

- (i) *One of the bailors will be a close relative of the petitioner.*
- (ii) *The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.*
- (iii) *In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.*

(Arun Kumar Jha, J)

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