

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31728 of 2026

Arising Out of PS. Case No.-162 Year-2026 Thana- BUDDHACOLONY District- Patna

Puja Devi W/O Akash Dhangar R/o- China Kothi (Harijan Colony), P.S-
Budha Colony, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

3 17-06-2026 Heard the learned counsel for the petitioner and
the learned APP for the state.

2. The petitioner apprehends his arrest in connection with Budha Colony P.S. Case No. 162 of 2026, for allegedly having committed offence under Sections 8 (C) and 21(b) of the N.D.P.S. Act and 109, 132, 191(2), 190 and 125 of the B.N.S.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant to the effect that he got an information to the effect that one Akash Dhangar is selling smack. To verify the authenticity of the said information, the informant along with police party reached near the place of occurrence and caught hold of Akash Dhangar. In the meantime, his family members and other persons came there taking bricks and stones in their hands and started assaulting the



police personnel. Taking advantage of the same, the accused Akash Dhangar tried to flee away, but the police personnel disclosed their identity to the accused persons and when they did not relent, the informant asked his accomplice Kaniska Kumar to fire in the air. When Kaniska Kumar fired in the air, then the mob backed out. In presence of the police personnel, search of the whole body of Akash Dhangar was made and from his jeans pocket 54 packets of smack was found. Total 6.48 grams of smack was recovered from him. When the police personnel asked Akash Dhangar about the persons who are involved in selling of smack and who are involved in assault upon the police personnel, he disclosed the name of the petitioner and some others, who are involved in selling smack and are also involved in assault upon the police personnel.

4. The learned counsel appearing on behalf of the petitioner submits that the petitioner is a lady and has not committed any offence. He submits that nothing has been recovered from the possession of the petitioner and while preparing the seizure list, the provisions contained under Section 109 of the BNS has also not been followed. He further submits that no such occurrence has taken place and the petitioner has been falsely implicated in the present case only



due to the fact that she happens to be the wife of Akash Dhangar. He further submits that the petitioner has got two antecedents related to Excise Act, however in both the cases she is on bail.

5. Per contra, the learned APP for the state vehemently opposes the prayer for bail of the petitioner and submits that the petitioner has been named by her husband, to be the person who is involved with him in selling smack and therefore, she does not deserve the privilege of anticipatory bail. He further submits that the petitioner is an accused in two other cases, related to Excise Act.

6. Having heard the rival submissions and after going through the records, it appears that a raid was conducted with regard to the recovery and seizure of smack and during the course of raid one Akash Dhangar was apprehended. The mob assaulted the police personnel and tried to get released the said Akash Dhangar. However, Akash Dhangar was apprehended and he disclosed the name of the petitioner and some others as the persons who are involved in selling smack. Further the petitioner is an accused in two cases related to Excise Act.

7. Considering the above facts and circumstances, this court is not inclined to grant the privilege of anticipatory



bail to the petitioner. Accordingly, the prayer for anticipatory
bail application of the petitioner is hereby rejected.

(Ritesh Kumar, J)

Krishnakant/
Kunal

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