

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31842 of 2026

Arising Out of PS. Case No.-166 Year-2025 Thana- MUZZFARPUR GRP CASE District-
Muzaffarpur

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Sahijon Bibi @ Sahijan Bibi W/o Nazrul Miyan R/o Mohalla- Golena Ohati
Kasarpura, P.S.-Shital Kuchhi, District-Cooch Bihar, State-West-Bengal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
For the Opposite Party/s : Ms. Dr. Indihar Kumari, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 22-07-2026 Heard learned senior counsel for the petitioner and
learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Muzaffarpur Rail P.S. Case No. 166 of 2025 instituted for the
offences under Sections 8, 20(b)(ii)(c) of the NDPS Act.

3. Prosecution allegation, in short, is that total 84
kilograms of ganja has been recovered from four trolley bags and
2 hand bags of the petitioner.

4. Learned senior counsel for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
the present case. The petitioner is in custody since 24.07.2025
and has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. Learned



counsel further submitted that no incriminating article has been recovered from the conscious possession of the petitioner. He further contended that the said trolley bags and hand bags do not belong to the petitioner. There is no compliance of Section 42 and 50 of the NDPS Act as also of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned A.P.P. submits that recovered contraband is above the commercial quantity, hence, there is bar under Section 37 of the N.D.P.S. Act.

6. Considering the aforesaid facts and circumstances of the case and recovery of contraband beyond commercial quantity coupled with embargo under Section 37 of the N.D.P.S. Act, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected.

(Rudra Prakash Mishra, J)

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