

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38917 of 2026

Arising Out of PS. Case No.-123 Year-2026 Thana- SASARAM MUFFSIL District- Rohtas

1. Chandani Kumari wife of Karan Kumar Resident of Village -Beda Mod, Banarasiya PS -Sasaram Muffasil District -Rohtas
2. Punam Kumari Wife of Vishal Kumar Resident of Village -Beda Mod, Banarasiya PS -Sasaram Muffasil District -Rohtas

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad

For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-06-2026 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. Petitioners seek bail who is in custody since 14.04.2026 in connection with Sasaram (Muffasil) P.S. Case No. 123 of 2026 (NDPS) for the offences punishable under Sections 8(c) and 21(b) of the NDPS Act.

3. The case of the prosecution in brief is that on 13.04.2025, upon information, he along with police personnel reached at village-Beda More Banarasiya near the house of accused Kavita at 15:15 O' Clock. The accused persons were caught by the police, who disclosed their names as Shakti Kumar, Chandni Kumari and Punam Kumari. During search,



total 124 grams brown sugar have been recovered from them. On query, they disclosed that seized article was ordered by Kavita which they were packing for sale.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and are innocent and have falsely been implicated in the present case. It is further submitted that the allegation as alleged in the FIR is forged and fabricated and the petitioners have not committed any offence as alleged in the FIR. It is next submitted that it appears from the FIR and seizure list that recovery has been made from the house of Shakti Kumar and petitioners have no concern at all with Shakti Kumar. It is next submitted that petitioners have been made accused in this case merely on the basis of suspicion and nothing has been recovered from their conscious possession or from the house of the petitioners. It is next submitted that the recovered contraband is less than commercial quantity so there is no embargo under Section 37 of the N.D.P.S. Act to enlarge the petitioners on bail. It is next submitted that co-accused person, namely, Shakti Kumar from whose possession the contraband has been recovered has been granted bail vide order dated 17.06.2026 passed in Cr. Misc. No. 38429 of 2026 by a Coordinate Bench of this Court and petitioners are in custody



since 14.04.2026.

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

6. Considering the aforesaid facts and circumstances, let the petitioners, 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 Court of Sessions Judge, Rohtas at Sasaram in connection with Sasaram (Muffasil) P.S. Case No. 123 of 2026 (NDPS), subject to the following conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioners. 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)

Gaurav Sinha/-

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