

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48353 of 2026

Arising Out of PS. Case No.-271 Year-2026 Thana- HAJIPUR SADAR District- Vaishali

Champa Devi W/o Mahendra Ray R/o Village - Bidupur Dih @ Bidupur
Katahariya, PS - Bidupur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 21-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending her arrest in connection with Hajipur Sadar P.S. Case No. 271 of 2026 instituted for the offence under Sections 8(c), 21(b), 22(b) and 29 of the NDPS Act.

3. The case of the prosecution, in short, is that altogether 165.57 grams of heroin/kota was recovered from six apprehended persons. It is alleged that the apprehended persons disclosed that the contraband was given to them by the present petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has



committed no offence. She has falsely been implicated in this case. He also submits that nothing has been recovered from the possession of the petitioner. The witnesses of the seizure list are police personnel and the police have not complied with Section 105 of the BNSS while making the seizure. He further submits that the name of this petitioner has surfaced in this case only on the basis of statement of co-accused. He further submits that the petitioner is a lady having no criminal antecedent.

5. Learned counsel for the petitioner further submits that in view of the judgment of the Hon'ble Supreme Court in the case of **Toofan Singh Vs. State of Tamil Nadu**, the statement of a co-accused recorded under the NDPS Act has no evidentiary value for the purpose of implicating another accused.

6. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

7. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of her arrest or surrender in connection with Hajipur Sadar P.S. Case No. 271 of 2026, she



will be enlarged on bail on furnishing bail bond of Rs. 10,000/-
(Rupees ten thousand) with two sureties of the like amount each
to the satisfaction of learned Principal District & Sessions
Judge, Vaishali at Hajipur subject to the conditions as laid down
under section 482(2) of the B.N.S.S.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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