

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51523 of 2026

Arising Out of PS. Case No.-168 Year-2026 Thana- PURNEA SADAR District- Purnia

Khushbu Kumari @ Khushboo Kumari Daughter of late Rikki Mehta, R/o-
Lanka Tola Thana Chowk, PS- K. Hat, Distt- Purnea.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Bijendra Kumar Singh, Advocate

For the State : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 29-07-2026 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 Sadar P.S. Case No. 168 of 2026 dated 30.03.2026, registered for the offences punishable under Sections 8(c), 21(b) and 29 of the NDPS Act. However, cognizance has been taken under Sections 21(b), 25 and 29 of the NDPS Act.

3. As per the prosecution case, petitioner and other co-accused persons were travelling in a four-wheeler from which recovery of 111.18 grams of smack like substance was made during special checking of vehicles.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. Petitioner took lift in the



vehicle, which was being driven by his cousin. She was not knowing about the contraband being carried in that vehicle. Nothing incriminating has been recovered from her person or possession. Even the recovery of smack has been shown from beneath one of the seats of the vehicle and it is not clear from whose possession the recovery was made. Even from the FIR, it is apparent that no allegation has been levelled against the petitioner showing her involvement in the purchase, sale or transporation of any psychotropic substance. It is also clear from the FIR that the co-accused Deepak Mehtar admitted that he purchased the smack and was carrying it for his own consumption. Thus, the petitioner has no role in the whole occurrence. Learned counsel next submits that petitioner is a young lady having clean antecedent. Learned counsel lastly submits that petitioner is in custody since 30.03.2026 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 and submits that petitioner was apprehended from the vehicle in which 111.18 grams of smack was transported.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that petitioner is a young lady aged about 19 years and



further considering that no recovery has been shown from her conscious possession and also considering her clean antecedent, period of custody and submission of chargesheet, 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 Special Judge (NDPS), Purnea / concerned Court, in connection with **Sadar P.S. Case No. 168 of 2026**, 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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