IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58710 of 2026
CNR No. BRHC010799012026
Arising Out of PS. Case No.-52 Year-2026 Thana- RUPASPUR District- Patna

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Sita Devi W/o Tuntun Bind R/O- Chinakothi Harijan Colony, P.S- Budhha Colony, District- Patna

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Binay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 30-10-2026 1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Rupaspur P.S. Case no.52 of 2026 registered under sections 8(c), 21(b), 8 and 20(b)(ii)(B) of the NDPS Act.

3. As per the prosecution case, while one accused managed to escape, the petitioner was caught and from her possession 15 grams of *smack* like substance and 23 grams of *ganja* like substance was recovered.

4. Learned counsel for the petitioner submits that the earlier prayer for bail of the petitioner was rejected vide order dated 7.5.2026 passed in Cr. Misc. no.17912 of 2026. Investigation in the case has concluded with submission of the chargesheet. Contrary to the allegations, no incriminating article has been recovered from the petitioner's possession who has

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been falsely implicated in the case. She is in custody since 25.1.2026 and her incarceration is no longer required in the case.

5. The application for bail is opposed by learned A.P.P. for the State who submits that besides 15 grams of *smack* and 23 grams of *ganja* having been recovered from the possession of the petitioner and contents thereof having been confirmed in the report of the Forensic Science Laboratory, Patna, the petitioner also has an antecedent under the NDPS Act.

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 3.10.2026, there are nine chargesheet witnesses, however no prosecution witness has been examined till the submission of the report.

7. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR together with her antecedent, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

8. Liberty is granted to the petitioner to renew her prayer for bail after six months.

(Partha Sarthy, J)

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