

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87005 of 2025

Arising Out of PS. Case No.-340 Year-2025 Thana- RAJPUR District- Buxar

Duliya Devi, W/O Late Radhesyam Singh, R/O Village-Karaila, Police
Station-Rajpur, District-Buxar (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Om Prakash Upadhyay, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Rajpur P.S. Case No. 340 of 2025 dated 18.10.2025 instituted for the offence punishable under Sections 8(c), 20(B)(ii)B of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. The allegation against the petitioner is that total 11.682 kg. *Ganja* like substances kept in two bags has been recovered from the possession of the petitioner, who was traveling in a bus bearing Registration No. BR44P8131.

4. Learned counsel for the petitioner submits that the petitioner is innocent and she has been falsely implicated in this case. Learned counsel for the petitioner further submits that the petitioner is lady aged about 40 years and nothing has been



recovered from the conscious possession of the petitioner. The said Ganja like substances was recovered from the said bus. The petitioner has no concern with the said recovered articles. It is further submitted that no independent witnesses have put their signature over the seizure list and as such, there is complete violation of Section 50 of the N.D.P.S. Act. Lastly, it has been submitted that the petitioner is in custody since 18.10.2025 having no criminal antecedents. Charge-sheet has been submitted in the case without any F.S.L. report.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, N.D.P.S. Act, Buxar in connection with Rajpur P.S. Case No. 340 of 2025, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail



bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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