

In the Court of Sessions Judge/Special Judge (NDPS), Patna

BAIL APPLICATION No.- 1175/2026
(Arising out of Digha P.S. Case No.360/2026)

Sumiya Devi @ Shanti Devi

-----**Petitioner**

Vs.

The State of Bihar

-----**Opposite party**

Date

ORDER

26-05-2026

1. The present application for regular bail has been filed on behalf of the **accused-petitioner, Sumiya Devi @ Shanti Devi**, who has remained in custody since 29.04.2026, in connection with **Digha P.S. Case No. 360/2026** dated 28.04.2026, registered under Sections 8/20(b)(ii)(A)(B)/25/27(A)/29 of NDPS Act as well as Section 30(a) of Bihar Prohibition and Excise Act.
2. Heard Ms. Bindu Kumari, learned counsel for the accused-petitioner and Sri Ashok Kumar Sinha, learned Spl. PP on behalf of the State.
3. The allegation against the petitioner is that on 28.04.2026, at about 08:05 hours, acting on secret information, police raided the residence of co-accused Anita Devi at Ramjichak. On noticing the police, Anita Devi attempted to flee but was apprehended. A search led to the recovery of 130 grams of ganja from her possession and premises. Based on her disclosure, the petitioner Sumiya Devi @ Shanti Devi was apprehended, from whom 45 grams of ganja and cash amounting to Rs. 3170/- were recovered. Subsequently, on the petitioner's disclosure, her house was searched, during which co-accused Nawlesh Chandra Chaudhary @ Babloo Chaudhary and Prince Kumar attempted to escape but were apprehended. From Prince Kumar's room, 359 sachets of ganja, four bottles (750 ml each) of Blendor Pride liquor totaling 3 liters, and Rs. 8000/- were recovered. From Nawlesh Chandra Chaudhary's room, 133 sachets of ganja and nine large polythene bags containing ganja were seized. Altogether, 1.685 kilograms of ganja was recovered, weighed, seized, and documented in the seizure list.
4. Learned counsel for the petitioner argued that she is innocent and has been falsely implicated on mere suspicion. It was contended that no incriminating material was

In the Court of Sessions Judge/Special Judge (NDPS), Patna

BAIL APPLICATION No.- 1175/2026
(Arising out of Digha P.S. Case No.360/2026)

Contd.....
26-05-2026

recovered from her personal possession and that the mandatory provisions of the NDPS Act were not properly complied with. The petitioner has remained in judicial custody since 29.04.2026, and on these grounds, a prayer was made for grant of regular bail.

5. *Per contra*, learned Special Public Prosecutor opposed the bail application, submitting that a total of 1.685 kilograms of ganja was recovered, which exceeds the threshold of small quantity under the NDPS Act. He further pointed out that the petitioner has a criminal antecedent as Digha P.S. Case No. 39/2026 dated 16.01.2026 under Section 8/20(b)(ii)(C) of the NDPS Act. It was also emphasized that the investigation is still in progress and the charge sheet has not yet been filed. Considering the gravity of the allegations, it was urged that the petitioner is not entitled to regular bail.
6. Having regard to the nature of the accusations, the **recovery of 1.685 kilograms of ganja** exceeding the small quantity threshold under the NDPS Act, the submissions of the learned Special Public Prosecutor, the petitioner's prior criminal antecedent particularly being under NDPS Act, and the fact that the investigation is ongoing with the charge sheet yet to be filed, this Court is of the considered view that the present case does not warrant grant of regular bail.
7. Accordingly, the application for regular bail filed on behalf of the **petitioner, Sumiya Devi @ Shanti Devi**, stands **rejected**.

(Dictated)

Sd/-

(Rupesh Deo)

Sessions Judge/Special Judge (NDPS),
Patna

Date of Order	26.05.2026
Date of Reserving Order	19.05.2026
Uploading Date	26.05.2026
Uploaded by	Santosh/-