



IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. _____ OF 2026
(@SLP(CRL.) NO.9209 OF 2026)

GUNJA KUMARI @ GUNJA DEVI APPELLANT(S)
VERSUS
STATE OF BIHAR RESPONDENT(S)

O R D E R

1. Issue notice.

2. Mr. Anshul Narayan, learned Addl. Standing Counsel appearing on behalf of Mr. Prem Prakash, learned AOR, who is on advance notice, accepts and waives service of notice on respondent-State.

3. Leave granted.

4. Appellant, who is an accused in FIR No. 315/2025 registered at Araria Police Station, is seeking for being enlarged on anticipatory bail.

5. On 05.08.2025 SHO received the information that Mukesh kumar and wife Gunja Kumari are intending to sell 'smack' from their general store. As such, a raiding team was formed and on arrival at the said shop they found a man and a woman

carrying black poly-bag and when they tried to nab them they attempted to flee. In the process, the bag was thrown at a short distance and it was found to contain 25 packets of brown substance. On weighing electronically, it weighed about 6 gms. Accordingly, seizure memo was prepared and chargesheet was filed on 26.09.2025 at which point of time the seized contraband was re-weighed and found that its weight was 4.5 gms.

6. Heard the learned counsel appearing for the appellant and learned counsel for the respondent-State and on the basis of the available material, he has opposed the grant of anticipatory bail.

7. The ultrasound report reflected that the appellant (accused) Gunja Devi was pregnant and it is also noticed that co-accused namely the husband of the appellant against whom the same allegations are made, has already been released on bail. Hence, on the ground of parity also the appellant is entitled for bail.

8. Accordingly, appeal is allowed. Impugned order is set aside. We direct the Investigating Officer (IO) to release the appellant in the event of arrest by granting anticipatory bail on such terms and conditions as he may deem fit including the condition of directing her to appear before the jurisdictional trial court on all dates of hearing except when exempted for any specific reason.

9. Pending application(s), if any, shall stand disposed of.

.....J.
(ARAVIND KUMAR)

.....J.
(PRASANNA B. VARALE)

New Delhi;
May 19, 2026.

ITEM NO.52

COURT NO.14

SECTION II-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No. 9209/2026

[Arising out of impugned final judgment and order dated 25-03-2026 in CRM No. 15726/2026 passed by the High Court of Judicature at Patna]

GUNJA KUMARI @ GUNJA DEVI

Petitioner(s)

VERSUS

STATE OF BIHAR

Respondent(s)

FOR ADMISSION

IA No. 152196/2026 - EXEMPTION FROM FILING O.T.

Date : 19-05-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ARAVIND KUMAR
HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) :Mr. N.P. Singh, Sr. Adv.
Mr. Vaibhav Niti, AOR
Ms. Madhavi Agrawal, Adv.
Mr. Divyanshu Agrawal, Adv.

For Respondent(s) : Mr. Anshul Narayan, Adv.
Mr. Prem Prakash, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. Issue notice.

2. Mr. Anshul Narayan, learned Addl. Standing Counsel appearing on behalf of Mr. Prem Prakash, learned AOR, who is on advance notice, accepts and waives service of notice on respondent-State.

3. Leave granted.

4. Appeal is allowed in terms of the Signed order placed on the file.

5. Pending application(s), if any, shall stand disposed of.

(RASHI GUPTA)
COURT MASTER (SH)

(AVGV RAMU)
COURT MASTER (NSH)