

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25119 of 2016

Arising Out of PS.Case No. -6 Year- 2016 Thana -PURUSHOTTAMPUR District-
WESTCHAMPARAN(BETTIAH)

Pratima Devi, Wife of Late Vishal Prasad Jaishwal, Resident of village - Patkhauli,
P.S. Jogapatti, District - West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, Advocate.

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 14-06-2016

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in Purushottampur P.S. Case
No. 6 of 2016 dated 18.01.2016 instituted under Sections 20, 22 and
23 of the Narcotic Drugs and Psychotropic Substance Act.

The allegation against the petitioner is of recovery of
6 Kgs. Charas from her possession.

Learned counsel for the petitioner submits that the
petitioner is innocent and there is no actual recovery from her
possession and the same has been planted. He further submits that it
has also not yet been ascertained as to whether the recovered article
was Charas or not. He further submits that the petitioner, having clean
antecedent, being a widow, is behind bars since 19.01.2016.

Learned A.P.P. submits that there can be no occasion for implanting 6 Kgs. of Charas just to implicate the petitioner. It is further submitted that the allegation, even as per the F.I.R., is that the petitioner has stated that she was carrying the articles for one Gyani and thus was fully aware of the contraband item and being an agent, cannot be said to be innocent.

Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to grant bail to the petitioner. Accordingly, the application stands dismissed.

However, the court below shall expedite the trial and conclude the same within nine months.

(Ahsanuddin Amanullah, J)

Sujit/Ravi

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