

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56042 of 2015

Arising Out of PS.Case No. -361 Year- 2015 Thana -ARA NAGAR District- BHOJPUR

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Guriya Devi, d/o. Shri Raju Pawan, w/o. Manoj Paswan, r/o. village –
Gaudganj, P.S. Ara Town, District Bhojpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aaruni Singh

For the Opposite Party/s : Mr. Tapeswar Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 16-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with N.D.P.S.
Case No. 10 of 2015 (arising out of Ara Town P.S. Case No.
361 of 2015) registered for the offences punishable under
Sections 21(B) of Narcotics Drugs & Psychotropic Substances
Act.

Allegedly, one Rambabu Mali was arrested while he was
selling brown sugar and after search, 5.69 gms. of brown sugar
was recovered and he stated the name of co-accused Deepak
Paswan that brown sugar was purchased from Deepak Paswan.
Accordingly, raid was conducted at the house of Deepak
Paswan but he succeeded in fleeing away and the petitioner was
found inside the house and in her presence, search was made

and 12.8 gms. of brown sugar was recovered.

Submission is of false implication and that the petitioner is married sister of co-accused Deepak Paswan. The petitioner has got no concern with the recovered article. The petitioner had gone there to get her ailing infant treated in the town by the Doctor and she resides at her in-laws village home, recovery of brown sugar from the house is not a ground to implicate the petitioner in the crime and the petitioner with her infant is suffering in custody since 11.08.2015 and as such, she deserves sympathetic consideration.

Learned A.P.P. submits that co-accused Deepak Paswan fled away and the petitioner was caught from the house of Deepak Pawan. It has come during the investigation that the petitioner was also involved in dealing with brown sugar along with her brother Deepak Paswan.

In the facts and circumstances stated above and considering that the petitioner is married sister of co-accused, namely, Deepak Paswan, having one year old infant with her and as such, in the special circumstances, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Sessions Judge,

Bhojpur, Ara in connection with N.D.P.S. Case No. 10 of 2015 (arising out of Ara Town P.S. Case No. 361 of 2015) subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on her part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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