

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10686 of 2017

Arising Out of PS.Case No. -30 Year- 2016 Thana -KATIHAR GRP CASE District- KATIHAR

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1. Mairina Francis, Daughter of Late David Francis,
2. Kalpana Barman, Daughter of Anil Barman, Both are Resident of
Khairbari, Balisitta, P.S.- Khairabari, District- Udalguri, Assam.

.... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Vikram Singh

For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

4 03-05-2017 Heard learned counsel for the petitioners and learned
A.P.P. representing the State.

The petitioners seek bail in connection with Katihar
Rail P.S. Case No. 30 of 2016 (G.R. No. 60 of 2016) registered for
the offences punishable under Sections 8, 20, 22 of the Narcotic
Drugs and Psychotropic Substances Act.

Allegedly, the petitioners and one Vijesh Chauhan
were apprehended as beneath their sit one trolley bag was
recovered and weight of that trolley bag with Ganja was 12 Kg.

Submission is of false implication and that nothing has
been recovered from conscious possession of the petitioners. They
are ladies. Mandatry provision of Section 50 of NDPS Act has not
been complied with and, as such they deserve sympathetic
consideration as they are in custody since 16.05.2016.



The learned A.P.P. opposes the prayer of bail by submitting that weight of bag with ganja was taken which was 12 Kg which is more than small quantity.

In the facts and circumstances stated above, considering the allegation attributed against the petitioners, at present I am not inclined to enlarge the petitioners on bail and accordingly, their such prayer stands rejected in connection with Katihar Rail P.S. Case No. 30 of 2016 (G.R. No. 60 of 2016) pending in the Court of learned Sessions Judge, Katihar.

(Jitendra Mohan Sharma, J)

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