

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27314 of 2017

Arising Out of PS.Case No. -7 Year- 2017 Thana -BARHARIA District- SIWAN

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Meera Manjhi, daughter of Bunni Manjhi, resident of Village- Aalapur,
Police Station- Barharia, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 26-07-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
10.01.2017 in connection with N.D.P.S. Case No. 90 of 2017,
arising out of Barharia P.S. Case No. 07 of 2017 registered for
the offence punishable under Sections 20 and 22 of the N.D.P.S.
Act.

The prosecution case, as lodged by the police
personnel, is that on secret information that some persons have
gathered at the palani of the petitioner and have planned to commit
some crime, the police raided and arrested the accused persons,
including the petitioner. On search 200 grams of charas was



recovered from each of the accused along with arms and ammunitions and stolen motorcycle for which a separate case, bearing Barhariya P.S. Case No. 06 of 2017 was lodged.

It is submitted by the learned counsel for the petitioner that she is innocent, bears no criminal antecedent, as Barhariya P.S. Case No. 06 of 2017 relates to the seizure of arms and ammunitions and stolen motorcycle in connection with the present case and except the said case, she has no criminal antecedent. He submits that petitioner is an ordinary labourer, who has no concern with the aforesaid contraband articles. He further submits that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner is a bootlegger. She brings contraband articles from Nepal border and supplies it, hence, opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, named above, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned 1st Additional District and Sessions Judge, Siwan in connection with N.D.P.S. Case No. 90 of 2017, arising



out of Barhariya P.S. Case No. 07 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable properties within the jurisdiction of the concerned P.S./ Court, who would file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned Court below on each and every date and failure to appear before the learned Court below on two consecutive dates without assigning any reason will entail cancellation of her bail bonds.

It is further made clear that if, in future, petitioner indulges in similar nature of offence, the prosecution will be at liberty to move before the learned Court below for cancellation of her bail bonds.

(Nilu Agrawal, J.)

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