

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22955 of 2018

Arising Out of PS. Case No. -131 Year- 2017 Thana -MEERGANJ District- PURNIA

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Usiya Khatoon @ Usiya, Wife of Md. Aga, Resident of Mir Milik, P.S.
Mirganj, District- Purnia.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nand Kishore Pd, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

3 17-05-2018

Heard learned counsel for the petitioner and State.

The petitioner is in custody since 12.09.2017 in connection with Special Case No. 19 of 2017, arising out of Mirganj P.S. case no. 131 of 2017 for the offence under Sections 20(b) of the NDPS Act.

Learned counsel for the petitioner submits that the petitioner has clean antecedent. He submits that at the relevant time when the alleged contraband, i.e. Ganja, was recovered, the petitioner was not present at her residence and as such he submits that nothing was recovered from the active possession of the petitioner. The search was conducted at the time when there was none in the house and in view of the above he submits that the petitioner deserves for grant of bail.

In view of the fact that nothing was recovered from



the conscious possession of the petitioner and as per averments made in the present application the search and seizure was made when no one was present in the house. The quantity of the Ganja was 23 Kg. and also considering the totality of the facts situation, the petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the amount each to the satisfaction of Sessions Judge-cum-Special Judge, N.D.P.S. Act, Purnia in connection with Special Case No. 19 of 2017, arising out of Mirganj P.S. case no. 131 of 2017 with the condition that the bailors should be the family members of the petitioner.

(Anil Kumar Upadhyay, J)

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