

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70794 of 2018

Arising Out of PS. Case No.-228 Year-2018 Thana- JOGBANI District- Araria

Johra Khatoon, W/o Md. Shukla Ansari, Resident of Village- Indra Nagar,
Ward No.10, P.S.- Jogbani, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Sri Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 10-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in Jogbani P.S. Case No.228/2018 registered for the offence punishable under Sections 21 and 22 of the N.D.P.S. act and Section 27(b) 28 read with Section 36 of the Drugs and Cosmetics Act.

The informant is Assistant Commandant of S.S.B. who has alleged that he along with the police personnel searched the house of one Md. Sukla Ansari, and from the possession of persons present there, namely, Johra Khatoon, wife of Sukla Ansari, Chandan Kumar Sah, Md. Chhotu Ansari, Surendra Ray and Kancha Choudhary 61 pcs. Of 2 ml. each Lupigecis injections, 65 pcs. of 2 ml. each Avil injections, 59 pcs. of 2 ml. each Diazelab injections, 06 pcs. of 2 ml. Phenergan injections, 16 pcs. of 100 ml. each Dialex-D.C.



cough Syrup, 430 tablets of Nitrazepam, 45 tablets of Sposmo Proxyvon Plus, 72 pcs. of 10 ml. Life Line Syring, 166 Pcs. of 5 ml. Of Life Line Syring, Nepali Currency of 73,855/- and two Nokia Mobile Phones were recovered.

It has been submitted on behalf of the petitioner that petitioner has falsely been implicated in this case as petitioner being the wife of co-accused, Md. Shukla Ansari, was present at the house and she was arrested by the police and remanded in this case only on suspicion. It has been further submitted that for the recovery of the alleged medicines, the husband of the petitioner, namely, Md. Shukla Ansari, who is also F.I.R. named accused, is responsible and the petitioner, who is a house wife, has nothing to do with the alleged recovery. Petitioner has no criminal antecedent and she is in custody since 21.08.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Araria in connection with Special Case No.21/2018 corresponding to Jogbani P.S. Case No.228/2018, with following conditions:-

(1) Bailors should be local having sufficient



immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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