

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5137 of 2019

Arising Out of PS. Case No.-6 Year-2018 Thana- D.R.I District- East Champaran

Rekha Devi aged about 36 years (Female) W/o Nandan Kumar Ward No.6,
resident of village-Purnahia, PS Ghorashahan, District East Chamkparan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through DRI, Regional Unit, Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar, Adv
For the UOI	:	Mr. Manoj Kumar Singh CGC

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 13-03-2019 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered
for the offence punishable under Section 8(c) of the NDPS Act.

Allegation is of recovery of 300 Vials of Promethazine 25
mg, 292 vials Diazepam 5 mg, and 293 Vials of Buprenorphine 300
mg valued at Rs. 13,741/- without any valid and legal documents
from possession of co-accused Rameshwar Giri where petitioner was
also present. Allegation against petitioner is that she brought above
named psychotropic drug from Md. Jaffar and gave to Rameshwar
Giri, who used to carry it to Kathmandu (Nepal).

It has been submitted on behalf of the petitioner that she
is innocent and has been falsely implicated in this case. Nothing
has been recovered from the possession of the petitioner.
The alleged recovery was made from the bag of co-



accused Rameshwar Giri. Petitioner has got no criminal antecedent and has been remanded in this case on 16.11.2018.

Learned counsel for the Union of India opposes the prayer for bail.

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 court below where the case is pending, in connection with **NDPS Case No. 71 of 2018 arising out of DRI Case No. DRI/LZU/MRU/718(ii)06 Seiz/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 his/her absence on two consecutive dates without sufficient reason, his/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)

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