

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13460 of 2019

Arising Out of P.S. Case No.-238 Year-2018 Thana- MUZZFARPUR GRP CASE District-
Muzaffarpur

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REKHA DEVI, (female), aged about-38 years, Wife of Badri Sahni R/o
village- Gogaul, P.S- Singhwara, District- Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ratan Kumar Kumar, Advocate
For the Opposite Party/s : Mr.Kanhaiya Kishore, APP-100

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 07-03-2019 Heard the learned counsel for the petitioner and

learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
02.12.2018 in connection with Rail P.S.Case No.238 of 2018
for the offence alleged under Sections 20 and 22 of the Narcotic
Drugs and Psychotropic Substances Act.

The prosecution case as lodged by the informant Rail
Police Personnel is that three ladies and young girl of 14 years
were found in a suspicious condition on the platform with some
articles. On search of the three ladies including the petitioner
and 14 year old girl, huge quantity of ganja with some cash was
recovered. From the possession of the petitioner, 16 kg. 900
grams of ganja and cash of Rs.5,000/- with mobile phone was



recovered. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that she is innocent, bears no criminal antecedent and has been falsely implicated in the aforesaid case. He submits that nothing has been recovered from the conscious possession of the petitioner. The articles were kept by some other ladies and the alleged ganja has not been examined by any of the experts to ascertain the authenticity of the said alleged contraband article. He further submits that chargesheet has already been submitted, there being no allegation of tampering with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Rail P.S.Case No.238 of 2018 to the satisfaction of learned Sessions Judge-cum-Special Judge, Muzaffarpur, subject to the following conditions:-

(i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file



an affidavit stating his/her relationship with the petitioner.

(ii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned Court below for cancellation of her bail bonds.

(Nilu Agrawal, J)

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