

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17422 of 2019

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

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Ram Samindar Devi @ Ram Samindra Devi, w/o Lalu Sahani @ Sushil Sahani @ Susheel Sahani @ Sosil Sahani Resident of Village- Kora Bharouli, Tola- Gagul, 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.Sri Niwas Jha

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-03-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is languishing in custody since 02.12.2018 in connection with Rail Muzaffarpur P.S. Case No.238 of 2018 registered for the offences punishable under Sections 20 and 22 of the Narcotics Drugs and Psychotropic Substance Act.

The prosecution case, as per the written report of Sunita Jaiswal, A.S.I., Rail Police, Muzaffarpur submitted to S.H.O. Rail P.S. Muzaffarpur is to the effect that on 01.12.2018 during checking on the Muzaffarpur Railway platform No.3 and 4 saw three ladies and a girl aged about 14 years were found in suspicious condition with some articles. On enquiry, all the



three women and girl disclosed their names as Veena Devi, Rekha Devi, Ram Samindra Devi and Madhu Kumari. From the possession of Veena Devi, 21 kgs 800 gms substance like Ganja, cash of Rs.6900/- as well as mobile phones, from possession of Rekha Devi, 16 kgs 900 grams, cash Rs.500/- mobile phone, from the possession of Ram Samindra Devi 15 kgs 300 gms and from the possession of Madhu Kumari, 7 kgs 700 gms and mobile phones were recovered.

It is submitted by learned counsel for the petitioner that only on basis of suspicious, accusation has been levelled. It is further submitted that recovery is between the small and commercial quantity. The petitioner is lady and it is further submitted that the petitioner is not having criminal antecedent, statement to that effect is made in paragraph no.3 of the bail application. It is further submitted that co-accused Rekha Devi has been granted bail by a Co-ordinate Bench of this Court vide order dated 07.03.2019 passed in Cr. Misc. No.13460 of 2019.

Learned A.P.P. for the State has vehemently opposed the prayer for bail and submits that the recovery has been made from possession of the petitioner.

Considering the recovery between small and commercial quantity, co-accused Rekha Devi already being



granted bail by a Coordinate Bench of this Court and the fact that the investigation has already been concluded, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, Muzaffarpur in connection with Rail Muzaffarpur P.S. Case No.238 of 2018.

(Dinesh Kumar Singh, J)

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