

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13789 of 2019

Arising Out of PS. Case No.-28 Year-2019 Thana- JOGBANI District- Araria

SUBHITA ROY @ SIYAWATI DEVI, aged about 44 years (Female), wife of Subhash Roy @ Pancham Prasad Roy, resident of village Kusmaha Ward No. 7, More Tola, P.S.- Jogbani, District Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Babita Kumari

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 07-03-2019

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 20, 22, 23 and 24 of the N.D.P.S. Act.

Informant who is a Police Officer has alleged that on receiving secret information regarding delivery of *Ganja* at the house of Subhita Roy (petitioner), he along with police party searched the house of the petitioner and three persons were apprehended. Police recovered 4 packets of *Ganja* from the possession of accused, Sunita Bista and 2 packets of *Ganja* from the possession of Subhash Bista and one packet was found on the ground, total weighing 7.3 k.g.

It has been submitted on behalf of the petitioner that



she is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. It has further been submitted that alleged recovery of ganja is much less than the commercial quantity. Petitioner has no criminal antecedent and she is in custody since 25.01.2009.

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 Special Case No.03 of 2019 arising out of Jogbani P.S. Case No. 28/2019 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 absence on two consecutive dates without sufficient reason, his 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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