

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16540 of 2019**

Arising Out of PS. Case No.-659 Year-2018 Thana- KADAMKUAN District- Patna

Kanti Devi Wife of Hari Shahni Resident of Village - Railway Hantar Road,  
East Lohanipur, P.S.- Kadamkuan, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Binay Kumar Singh  
For the Opposite Party/s : Mr.Kalyan Shankar

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      15-03-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is apprehending her arrest in a case registered under Sections 20(B)(1)(A) of N.D.P.S. Act.

The prosecution case, in brief, is that altogether 88 grams of ganja in two plastic bags is alleged to have been recovered from a Gumti.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused in the present case due to mistake of fact. The abandoned Gumti is alleged to be of the petitioner. The petitioner denies to be owner of the Gumti in question. 60 gms of Ganja along with packet of cigarette is alleged to have been recovered from the abandoned



Gumti. The petitioner is a lady. The recovered Ganja is below the small quantity. There is no compliance of Section 42 & 50 of the NDPS Act. The alleged recovery has not been made from conscious possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, NDPS, Patna in connection with Kadamkuan P.S. Case No. 659 of 2018, Spl. Case No. 130 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

A.K.V.//-

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