

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8516 of 2020**

Arising Out of PS. Case No.-749 Year-2019 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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SHAIL DEVI W/o Kamal Kishore Singh R/o Mohallla- Bhikhanpura,
Ramdayalu Nagar, P.S.- Sadar, District- Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.
For the Opposite Party/s : Mrs. Meena Singh

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 04-03-2020 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor for the State.

Petitioner is apprehending her arrest in Sadar P.S. Case
no. 749/2019 registered under sections 20/22 of the NDPS Act.

12 Purias of brown coloured psychotropic substance
kept in a box is said to have been recovered from a Gumti
(shop) of petitioner's son in his presence.

Son of the petitioner has been apprehended and it is
alleged that he along with his mother (petitioner) is carrying on
trade of psychotropic substances.

Counsel for the petitioner submits that the petitioner
has no concern with the Gumti and other than disclosure of her
son in his statement, there is nothing to connect the petitioner



with the recovery, if at all made. Recovery is also in complete violation of section 50 of the NDPS Act. Son of the petitioner has been allowed regular bail.

Since recovery has not been made from the possession of the petitioner, prayer for anticipatory bail is allowed.

In the event of arrest/ surrender within four weeks from the date of receipt of a copy of the order in the court below, petitioner shall be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Sessions Judge-cum-Special Judge, Muzaffarpur in Sadar P.S. Case no. 749/2019 subject to the condition under section 438(2) Cr.P.C and other conditions.

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, her bail will be liable to be cancelled.

s.hassan/-

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(Madhuresh Prasad, J)

