

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28319 of 2020**

Arising Out of PS. Case No.-94 Year-2020 Thana- LAHERIYASARAI District- Darbhanga

Sushila Devi Wife of Late Ramesh Bhandari Resident of Mohalla- Bakarganj
Kachari Pokhar, P.S.- Lahariasarai, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidya Nath Prasad
For the Opposite Party/s : Mr.A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 09-11-2020 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in G.O. Case No. 4 of 2020
(arising out of Lahariasarai P.S. Case No. 94 of 2020), registered
for the offence under Sections 20/22 of the N.D.P.S. Act.

On a secret information, a raid was conducted on
16-02-2020 at about 3:15 PM in the house of co-accused Anil
Bhandari and 600 gm Ganja, One cigarette packet, in which 48
packets contain 10 cigarette each filled with Ganja, two bottles
of cough syrup of 100 ml. alongwith other medicines
(mentioned in FIR), Rs. 26,500 (twenty six thousand five
hundred), one mobile phone with SIM and two other mobile
phones without SIM and one Scooty of blue colour without
number plate have been shown to be recovered.



It is submitted on behalf of petitioner that petitioner, who is lady, is innocent and has committed no offence. It is further submitted that alleged recovery has been made from the outskirts of the petitioner's house. It is stated in paragraph – 3 that petitioner has no criminal antecedent. It is further submitted that petitioner has been made accused in this case, only due to the fact that she is mother of co-accused Anil Bhandari. Petitioner is in custody since 17-02-2020. Chargesheet has already been submitted.

Considering the aforesaid facts and circumstances as well as the fact that petitioner is an old lady and she is in custody since 17-02-2020, her bail application is allowed.

Let the above-named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. 6th cum Special Judge N.D.P.S. Act, Darbhanga, in connection with G.O. Case No. 4 of 2020 (arising out of Lahariasarai P.S. Case No. 94 of 2020) on the following conditions:

“(1) Petitioner shall cooperate 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 on her absence on two consecutive dates without sufficient reason, her bail-bond shall be



cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”.

(Prabhat Kumar Singh, J.)

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