

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5523 of 2022

Arising Out of PS. Case No.-290 Year-2021 Thana- CHIRAIYA District- East Champaran

Asha Devi Wife Of Ganesh Ray @ Ganesh Yadav R/O Village- Kathkuiya,
P.S.- Chiraiya, Dist.- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-06-2022

Heard.

The petitioner seeks regular bail in connection with Chiraiya P.S. Case No. 290 of 2021, N.D.P.S. Case No. 97 of 2021, registered for the offence punishable under sections 20/ 22/ 23/24 of the N.D.P.S. Act, 1985.

The allegation is regarding recovery of 8 kg of ganja from the front room of the house of the petitioner, upon search being conducted by the informant and other police personnel.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 10.10.2021. The learned counsel for the petitioner has further submitted that the quantity of ganja seized from the house of the petitioner is much less than the commercial quantity as defined in the schedule notified under the



provisions of the N.D.P.S. Act, 1985, hence, there is no impediment in grant of bail to the petitioner.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the parties and taking into account the materials available on record as also considering the fact that the petitioner is languishing in custody since about 8 months and he is having a clean antecedent apart from the fact that the quantity of ganja seized from the house of the petitioner is much less than the quantity defined in the schedule notified under the provisions of the NDPS Act, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court of Sessions Judge/ Special Judge, East Champaran, Motihari in connection with Chiraiya P.S. Case No. 290 of 2021, N.D.P.S. Case No. 97 of 2021.

(Mohit Kumar Shah, J)

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